



Merri-bek City Council

Minutes of the Council Meeting

Held at the Council Chamber, Merri-bek Civic Centre,
90 Bell Street, Coburg
on Wednesday 18 October 2023

The Mayor opened the meeting at 7.02 pm and stated the Council meeting is being held on the traditional country of the Wurundjeri Woi Wurrung people and acknowledged them as Traditional Owners. The Mayor paid respects to their Elders, past, present and emerging, and the Elders from other communities who may be here today.

Present	Time In	Time Out
Cr Angelica Panopoulos, Mayor	7.02 pm	10.45 pm
Cr Helen Davidson, Deputy Mayor	7.02 pm	10.45 pm
Cr Adam Pulford	7.02 pm	10.45 pm
Cr Annalivia Carli Hannan	Leave of absence	
Cr Helen Pavlidis	7.02 pm	10.45 pm
Cr James Conlan	7.02 pm	10.45 pm
Cr Lambros Tapinos	7.05 pm	10.45 pm
Cr Mark Riley	7.02 pm	10.45 pm
Cr Monica Harte	7.02 pm	10.45 pm
Cr Oscar Yildiz JP	7.02 pm	9.16 pm
Cr Sue Bolton	7.38 pm	10.45 pm

OFFICERS

Chief Executive Officer – Cathy Henderson
Director Business Transformation – Sue Vujcevic
Director City Infrastructure – Anita Curnow
Director Community – Eamonn Fennessy
Acting Director Place and Environment – Sunny Haynes
Manager Governance and Strategy – Yvonne Callanan
Unit Manager Governance – Troy Delia

APOLOGIES/LEAVE OF ABSENCE

Cr Carli Hannan requested a leave of absence from Council for the period 16 October to 27 October 2023 inclusive.

Motion

Cr Davidson moved, Cr Conlan seconded –

That Council grants a leave of absence to Cr Carli Hannan for the period 16 October to 27 October 2023 inclusive.

Carried

DISCLOSURES OF CONFLICTS OF INTEREST

Nil

MINUTE CONFIRMATION

With the agreement of Council, the order of business was altered and the Confirmation of Minutes of the Council Meeting held 13 September 2023 was considered after the Notices of Motion.

ACKNOWLEDGEMENTS AND OTHER MATTERS

Cr Harte acknowledged Seniors month in Victoria and the 3 events she attended: Healthy Ageing Expo held at Brunswick Town Hall on 6 October; Senior of the Year Awards held at Government House on 11 October; and the Antique Roadshow held today (18 October) at Brunswick Town Hall.

Cr Harte particularly wanted to acknowledge the contribution of not only seniors, but the contribution Council and its staff make to the lives and wellbeing of older residents in our community, both in a caring way and a social way, and the link between the two.

Cr Pulford acknowledged the referendum for the Voice to Parliament for Aboriginal and Torres Strait Islander peoples failed over the weekend and that the federal electorate that most of Merri-bek is in had an almost 64% yes vote.

Cr Pulford supported the 'yes' vote as did a lot of the Merri-bek community and acknowledged the result is hurtful for a lot of Aboriginal and Torres Strait Islander peoples in our community and across the country.

Cr Pulford thanked Merri-bek Council for honouring the First Nations campaigners request following the referendum for Aboriginal and Torres Strait Islander flags be flown be at half-mast.

Cr Pulford highlighted that while the referendum loss means we are not taking that step forward, here in Victoria all three elements of the Uluru Statement of Heart are being advanced: the Voice via the First Peoples' Assembly of Victoria; Australia's first formal truth telling process is being run by Europe Justice Commission; and the First Peoples' Assembly is leading the journey to Treaty for Victoria. He reinforced there is hope to be found at the State level.

Mayor Cr Panopoulos provided a report back to Council on her and Deputy Mayor Cr Davidson's attendance at the Asia Pacific Cities Summit and Mayors' Forum in Brisbane from 11 to 13 October 2023.

Mayor Cr Panopoulos spoke on two panels at the Summit: the first being a Young Leaders Forum with the Mayor of Nillumbik Shire Council and the Deputy Mayor of Huon Valley; and the second panel discussing Merri-bek Council's name change, Council's work on Voice, Treaty and Truth and other opportunities for decolonisation and self-determination, including at the Ballerit Mooroop site in Glenroy.

The Summit and Forum provided Mayor Cr Panopoulos and Deputy Mayor Cr Davidson with the opportunity to hear from experts in local government and city planning, highlighting how cities can be created and built to ensure they are sustainable, that people are well connect and projects and services are created that leave a positive and lasting legacy for the community.

Cr Riley acknowledged that he was joining the meeting from Aileu, in Timor Leste. Cr Riley is visiting as part of the Friends of Aileu Community Committee, a joint working group of Merri-bek and Hume City Councils. Cr Riley acknowledged the good work that is being undertaken there by the local municipal administration which Friends of Aileu facilitate and support.

PETITIONS

Nil.

PUBLIC QUESTION TIME

Public Question Time commenced at 7.16 pm.

LISA O'HALLORAN, MERRI-BEK BICYCLE USER GROUP – STATEMENT - REPORT 7.1 MAKING IT SAFER AND EASIER TO WALK AND RIDE IN MERRI-BEK - RESPONSE TO NOTICE OF MOTION

Statement

Merri-bek BUG is supportive of the comprehensive report Officers have provided in response to Cr Pulford's June NOM about opportunities to accelerate the roll out of active transport infrastructure by bringing forward active transport projects.

Merri-bek residents have consistently shown a high level of interest over many years in opportunities to switch to active transport and particularly in projects that will provide dedicated cycling spaces separated from traffic.

This has most recently been demonstrated with:

- The sheer volume of submissions to the 2023/24 budget requesting Council allocate more funding for bike infrastructure and in particular dedicated bike lanes.
- Council's social research conducted in early 2023 that found that significant numbers of residents across Merri-bek were interested in using a bicycle for some local trips, especially women.
- Council's 2022 consultation on the 10 Year Capital Works Programs for Walking and Cycling that received 292 survey responses and 932 pinned comments on the interactive map from 289 constructors.

This high level of demand from residents, coupled with Merri-bek's own aspirations towards reducing carbon emissions, addressing the climate emergency, reducing congestion and making it healthier, safer and easier to travel around Merri-bek calls for an accelerated approach to building the sort of city that gives all residents a real choice in how to move around our city.

We believe that Option 2 recommended by officers provides a good plan for moving forward with additional pedestrian and cycling projects that will make a real difference while requiring only a modest increase in budget, and we thank officers for their work on this. The projects chosen all fit well into long term strategies for improving walking and cycling in Merri-bek and are supported by residents.

Officers have however failed to address the second part of Cr Pulford's NOM with respect to indexing the \$10 per capita spend for active travel projects. We think having this small budget indexed is really important. Since the Council voted in June 2019 that the budget should have a \$10 per resident minimum, costs have increased by 15.5%. The Transport budget is now a smaller proportion of the entire Council budget than it was in 2019, at a

time when the urgent need for mode switch to address transport emissions, health, congestion and other issues is more pressing than ever.

This is why we believe that the \$10 per capita for walking and cycling projects should be indexed to inflation. Doing so would mean that this small but important budget would be better able to keep up not only with the total Council budget but with the important and major work both residents and Council's own policies expect of it.

In summary - we are asking Councillors to vote for the Option 2 presented by officers but to also ensure that this budget is indexed in line with inflation from 2019.

Lisa O'Halloran read their statement.

LISA O'HALLORAN, MERRI-BEK BICYCLE USER GROUP – STATEMENT – REPORT 7.2 DE CARLE STREET BICYCLE LANES

Statement

From the first time Council suggested protected bike lanes on De Carle St the project has had incredible community support. This reflects the ongoing and consistent support for safer cycling routes across Merri-bek that is regularly voiced by residents. We referenced it in our earlier statement this evening so we won't detail it all again but residents in Merri-bek overwhelmingly support measures for better quality outcomes for riders on bikes. The consultation process for this project also reveals significant levels of support. The location of De Carle with access for families riding to day care centres and primary schools and to intersections with the activity centre on Sydney Rd are just some of the reasons why this project has become so important to the community.

We understand the challenges officers have detailed with the original proposal and why the protected bike lanes proposed then can't be built as they were envisaged. The current proposal however does not meet the expectations of the community. While referencing Napier Street in Fitzroy it omits some of the most significant factors on Napier St, and that is the multiple and significant modal filters that restrict through traffic by motor vehicles. Without these Napier St would not be the success it is and De Carle St will not provide the traffic calming it needs to work as officers hope.

We believe this proposal needs to be revisited and we urge Councillors to ask officers to do that. Protected bike lanes may be able to be incorporated with a redesign of the street of that includes removing some of the parking. Modal filters and other features of streets like Napier and Canning Streets may also provide greater traffic calming. Councillors have already voted on this proposal in the past and that vote was for a design that provided a route suitable for use from 8-80. The current proposal doesn't do that and needs to be revisited.

Lisa O'Halloran read their statement.

MARIA GIORDANO, PRINCIPAL MERRI-BEK PRIMARY SCHOOL - STATEMENT - REPORT 7.2 DE CARLE STREET BICYCLE LANES

Statement

I am the Principal of Merri-bek PS which is located on the corner of Blair Street and De Carle streets In Coburg. These streets are congested with lots of traffic and pose a serious risk regarding the safety of our children.

By Installing protected bike lanes, it will allow and improve safe access to schools while reducing car traffic and their associated impacts on safety, air quality, emissions, amenity and congestion.

At its core, It will:

- Encourage sustainable student travel mode shift, particularly for short journeys
- Improve road safety for all road users, especially school children, during peak traffic hours
- Reduce anti-social driving behaviour from dangerous parking and while movements outside school gates
- Reduce the number of vehicle trips to schools and deliver wider benefits to network congestion
- Improve air quality around the school gates due to reduced vehicle idling
- Enable healthier Journeys to school by promoting physical activity
- Create opportunities for people to experience - space that encourages neighbourhood connection and places for play
- Create an environment in which most people choose to walk or ride to get around locally and reduce car ownership, in line with Zero carbon Merri-bek.

We have a high percentage of our students and staff, including myself, ride our bikes to school We would all feel better protected if the protected bike lanes were installed.

Maria Giordano read their statement.

MARION ATTWATER – QUESTION - REPORT 7.3 2022-23 MERRI-BEK CITY COUNCIL ANNUAL REPORT

On page 14 of the Annual Report at item 7.3 of the agenda, in the section about achievements related to the Council Plan, it says that: “We began our review and update of our Integrated Transport Strategy.

This included completing social policy research field work, which helped inform the discussion paper for the strategy We began planning for the review of our parking management policy.

This will include community engagement and a precinct-by-precinct approach. “The Council resolutions to review the parking management policy and integrated transport strategy were made at the 14 April 2021 council meeting.”

That is more than 2.5 years ago. The Discussion Paper and Conversations-Merri-bek page for the review of the integrated transport strategy actually says that the Council is not reviewing the integrated transport strategy but is instead writing a new transport strategy.

Was there a notice of rescission on the 14 April 2021 decision to review the integrated transport strategy, and if yes at which Council meeting did this happen?

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

Thank you for the question. Your question suggests that revising a strategy and developing a new strategy are very different things - but they are all different ways of describing reviewing a strategy. There was no rescission motion lodged or required. It's now four years since the original Integrated Transport Strategy was adopted. The public consultation processes so far have included explanations of how context has changed since then, including that a majority of the actions in the 2019 Strategy have been completed.

MARION ATTWATER - STATEMENT - REPORT 7.14 ADOPTION OF COUNCIL'S GOVERNANCE RULES 2023

I would like to make a statement regarding item 7.14 the adoption of the Council's Governance Rules.

In my opinion this item should be deferred to the November council meeting, so that Councillors can spend adequate time considering the proposed changes to the Governance Rules.

Firstly the proposed changes to public question time, will not overcome the issue of questions and statements being taken on notice prior to a meeting. The Local Government Victoria Model Governance Rules of 2020, actually had sub-rules stating that questions and statements should be submitted to the CEO. I think Councillors should look at the model governance rules themselves.

Secondly I would like to point out that the Annual Report 2022-23 at item 7.3 still has a section regarding the Council's existing Meeting Procedure Local Law of 2018, which is on page 143 of the Annual Report, and that this year the Annual Report says that "While the majority of the Council's existing Meeting Procedure Local Law 2018 has been replaced by the Council's Governance Rules, the remaining provisions of the Local Law persist for the specific purposes of governing the use of Council's Common Seal and establishing penalties for infringements."

Each year in the Annual Report it says something different about why the Meeting Procedure Local Law 2018 still exists. Whereas in reality, no sections of the Local Law have been officially revoked by resolution of councillors.

Whereas when the administrators of Casey Council adopted their Governance Rules in August 2020 part of the resolution was to cease enforcing various sections of their Meeting Procedure Local Law and Use of the Common Seal. Darebin Council made a similar decision about their Meeting Procedure and Common Seal Local Law in July 2020.

There are many more issues that I could raise about the Governance Rules, but these are just two examples of why I think the item should be deferred to allow further consideration.

Marion Attwater read their statement.

PETER JEFFS - QUESTION - 9.1 NOTICE OF RESCISSION - REPORT 7.1 CONCLUSION OF KENT ROAD SEPARATED BIKE LANE TRIAL AND NEXT STEPS FOR COBURG TO GLENROY BIKE ROUTE

My question is a simple one which I believe can be answered here tonight with a Yes or No.

With regard to the removal of the bike lanes along Kent Road, Pascoe Vale, is it not true that Council's own expert in this area of traffic management, along with the wishes of the majority of the community by way of petitions and emails to Council; social media posts; and through various media reports, overwhelmingly supported the removal of them?

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

The report for the September Council meeting made a measured recommendation, but I don't think the word overwhelming was used and I've never described the recommendation that way. The basis for the recommendation was set out clearly in the report.

PAULINE CARMICHAEL - STATEMENT - 9.1 NOTICE OF RESCISSION - REPORT 7.1 CONCLUSION OF KENT ROAD SEPARATED BIKE LANE TRIAL AND NEXT STEPS FOR COBURG TO GLENROY BIKE ROUTE

There has been so much misinformation and disinformation throughout this trial. A trial needs to have a set of measures that need to be achieved for it to be a success. Unlike other trials this one did not meet the measures and independent traffic engineers and Council officer transport engineers have observed and reported safety issues that were not there before.

Key stakeholders were interviewed by Council staff. Lead petitioners were members of the community. This week I have tried to speak to as many residents as possible and most would have liked to have been here in person over the journey but of course people have their jobs, children etc.

I did not think I would have had to attend tonight especially after the fatigue of making sure the community is listened to and with everything else that is going on in the world with the wars and the fatigue of the referendum which, unless you hid under a rock, has touched everyone in this country.

So I urge Councillors to please listen to your officers who have to conduct the engagement process and we have been told need to report without fear or favour.

Please listen to the community and every single resident facing this section of Kent Road and can we please use the rest of our energies on working together to achieve a bike route that achieves more people riding not less and doesn't put other vulnerable members of the community at more risk than prior to the trial.

Pauline Carmichael read their statement.

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 - 9.1 NOTICE OF RESCISSION - REPORT 7.1 CONCLUSION OF KENT ROAD SEPARATED BIKE LANE TRIAL AND NEXT STEPS FOR COBURG TO GLENROY BIKE ROUTE

Hi, I'm a resident of Merri-bek who uses the Kent Rd bike lanes, and I'm asking that you vote against tearing up one of the few protected lanes in Merri-bek that have improved safety for me.

It's not perfect, but many of the initial issues have been addressed, including improving accessibility for pedestrians, as well as access for waste collection and street sweepers. It would be a shame to let all of the effort over the years go to waste.

I also want to make clear, having used Kent Road myself, that having a protected lane is far safer than the alternative. The shimmy route proposed by officers, in addition to being an indirect route that doesn't take cyclists to local shopping streets like Kent Road, is not really safe itself - there's less room for cars to bypass cyclists on local residential roads, meaning a higher number of dangerous interactions between riders and drivers than on a protected road.

I was delighted to see that Merri-bek reaffirmed its commitment to funding active transport infrastructure in the last budget, and in Merri-bek's Transport Strategy. I think that it's critical that we don't let years of effort and funding go to waste and that we don't make the perfect the enemy of the good, when it comes to delivering infrastructure.

Thanks very much for your consideration of this, I know this has been a long process for everybody involved.

The Mayor took this statement on notice.

COUNCIL REPORTS

7.1 MAKING IT SAFER AND EASIER TO WALK AND RIDE IN MERRI-BEK - RESPONSE TO NOTICE OF MOTION

Executive Summary

In June 2022, Council approved the Active Travel (Walking and Riding) 10 Year Capital Program with an amendment to bring forward the O’Hea Street bike lane project and the De Carle Street bike lane project into the first two years of the program. In June 2023, Council adopted its 2023-27 Budget which included a Transport Program of works.

This report responds to a Notice of Motion at the June 2023 Council meeting calling for detail on how Council could accelerate the rollout of active transport infrastructure.

The recommended approach is described in Option 2 in this report and includes additional annual budgets for pedestrian and accessibility improvements, accelerated delivery of bicycle infrastructure projects, development of “Streets for People” plans for key active travel corridors, and additional staff resources required to deliver these additional projects.

A holistic “Streets for People” program is proposed to deliver improvements for multiple transport mode users, as well as place, along key corridors. Harding Street, Coburg and Albert Street, Brunswick are proposed as initial pilots of this approach, with community engagement and design proposed to commence from 2024/25.

This approach applies lessons from Council’s recent trials of separated bicycle lanes, aiming to deliver broader benefits including to ensure increased buy-in from all user groups, while still providing cycling conditions suitable for less confident (‘interested but concerned’) cyclists. Separated bicycle lanes will be an important to making cycling safer and more comfortable in Merri-bek. The Streets for People approach will use these opportunities to also consider other streetscape enhancement opportunities such as tree planting, crossing points, footpath improvements and place activation through the design process.

The recommended program of accelerated projects would require an additional \$906,000 per year on average between 2024/25 to 2028/29, and would increase average annual per capita spending on active travel during this period from \$11.34 to \$15.70.

It is recommended that Council advocate to the Victorian Government for a funding contribution towards these projects, particularly those on or near state-level Strategic Cycling Corridors (Harding Street and Albert Street).

Subject to Council’s endorsement of an accelerated program of active travel projects, the additional expenditure required will be referred to the 2024/25 Council budget process. By referring it to the Budget Process, Council will be able to consider the relative priority of this investment over other capital investment opportunities.

With a new Transport Strategy and associated Action Plan under preparation, the strategic alignment of these actions will be confirmed in the Action Plan that accompanies the adoption of the Transport Strategy proposed for March 2024.

Officer Recommendation

That Council:

1. Endorses an accelerated program of active travel projects as detailed in Option 2 in this report (subject to the 2024/25 Council Budget process) including:
 - a) An increase in annual expenditure on upgrades to pedestrian accessibility, public lighting and roundabouts.

- b) An increase in the funding to deliver outcomes from the Fawkner Transport Study from \$100,000 to \$300,000 (in 2025/26).
 - c) Earlier delivery of the Coonans Road (2025/26) and Reynolds Parade (2026/27) separated bicycle lane projects previously identified in Council's ten-year active travel program.
 - d) Commencing a program of "Streets for People" projects to improve walking, cycling and place outcomes, commencing with designs for Harding Street, Coburg and Albert Street, Brunswick in 2024/25.
 - e) Project management resources to deliver the above projects.
2. Advocates to the Victorian Government for a financial contribution towards these projects, particularly those on Strategic Cycling Corridors.
 3. Refers the additional expenditure required to the 2024/25 Council Budget process, noting that it will need to be considered alongside other capital budget pressures.
 4. Notes that project cost estimates are indicative and subject to change following design of and community engagement on individual projects.
 5. Incorporates these actions into the relevant Transport Strategy Action Plans by March 2024.

7.38 pm Cr Bolton entered the meeting.

Resolution

Cr Pulford moved, Cr Conlan seconded -

That Council:

1. **Endorses an accelerated program of active travel projects as detailed in Option 2 in this report (subject to the 2024/25 Council Budget process) including:**
 - a) **An increase in annual expenditure on upgrades to pedestrian accessibility, public lighting and roundabouts.**
 - b) **An increase in the funding to deliver outcomes from the Fawkner Transport Study from \$100,000 to \$300,000 (in 2025/26).**
 - c) **Earlier delivery of the Coonans Road (2025/26) and Reynolds Parade (2026/27) separated bicycle lane projects previously identified in Council's ten-year active travel program.**
 - d) **Commencing a program of "Streets for People" projects to improve walking, cycling and place outcomes, commencing with designs for Harding Street, Coburg and Albert Street, Brunswick in 2024/25.**
 - e) **Project management resources to deliver the above projects.**
2. **Advocates to the Victorian Government for a financial contribution towards these projects, particularly those on Strategic Cycling Corridors.**
3. **Refers the additional expenditure required to the 2024/25 Council Budget process, noting that it will need to be considered alongside other capital budget pressures.**
4. **Notes that project cost estimates are indicative and subject to change following design of and community engagement on individual projects.**
5. **Incorporates these actions into the relevant Transport Strategy Action Plans by March 2024.**
6. **Notes that a report on the opportunity to index the per capita spend on active travel will be presented to the November 2023 Council meeting.**

Carried unanimously

7.2 DE CARLE STREET BICYCLE LANES

Executive Summary

Provision of bike lanes on De Carle Street between Moreland Road and Rennie Street was identified in Council's capital works program for pedestrians and cyclists in 2019, and initially intended to be delivered in the 2021/22 financial year. The intent of the project is to deliver a high quality cycling route suitable for users of all confidence levels.

Community consultation has occurred on a few iterations of project designs between 2020 and 2023. The most recent period of consultation, in August and September 2023, sought feedback on the current project design which has sought to address issues from previous consultation on this project, as well as lessons learned from other bike infrastructure projects in Merri-bek.

The current project design delivers wider bike and traffic lanes than the previous design, as well as improved waste collection opportunities and zero impact to on-street parking. While the revised design does not provide separated bike lanes, it is considered appropriate for lower confidence cyclists due to low traffic volumes, and is similar to an existing, well-used bike route on Napier Street, Fitzroy.

Subject to Council's approval, communications will be sent to local properties informing them of upcoming works and changes to the street. Works will be tendered following Council approval and expected to occur prior to June 2024.

Officer Recommendation

That Council:

1. Notes the consultation outcomes on the proposed implementation of cycling lanes and traffic calming treatments on De Carle Street, Coburg between Rennie Street and Moreland Road.
2. Approves the implementation of cycling lanes and traffic calming treatments on De Carle Street, between Moreland Road and Rennie Street as shown in Attachment 1.
3. Advises the community of Council's decision.

Motion

Cr Conlan moved, Cr Bolton seconded -

That Council:

1. Approves the installation of protected bicycle lanes on De Carle Street between Rennie Street and Moreland Road in line with previous designs developed for consultation in November 2021.
2. Approves the removal of eight parking bays on the eastern side of De Carle Street between The Grove and Rennie Street to facilitate two-way vehicle movement.
3. Approves the removal of three parking bays between Moreland Road and The Avenue to enable two-way vehicle passing gaps every 80 to 100 metres.
4. Approves the installation of traffic calming treatments at roundabouts on De Carle Street between Moreland Road and Rennie Street to reduce vehicle speeds and address road safety risks.

7.56 pm Cr Riley left the meeting.

7.56 pm Cr Riley returned to the meeting.

Motion

Cr Tapinos moved, Cr Yildiz seconded -

That Council defer the item to next month's council meeting.

Lost on the casting vote of the Mayor

Resolution

Cr Conlan moved, Cr Bolton seconded -

That Council:

- 1. Approves the installation of protected bicycle lanes on De Carle Street between Rennie Street and Moreland Road in line with previous designs developed for consultation in November 2021.**
- 2. Approves the removal of eight parking bays on the eastern side of De Carle Street between The Grove and Rennie Street to facilitate two-way vehicle movement.**
- 3. Approves the removal of three parking bays between Moreland Road and The Avenue to enable two-way vehicle passing gaps every 80 to 100 metres.**
- 4. Approves the installation of traffic calming treatments at roundabouts on De Carle Street between Moreland Road and Rennie Street to reduce vehicle speeds and address road safety risks.**

Carried on the casting vote of the Mayor

RESCINDED

This resolution was rescinded by Council at its meeting of 8 November 2023.

Order of Business Altered

With the agreement of Council, the order of business was altered to bring forward consideration of Notice of Rescission 9.1 and Council Report 7.9.

9.1 NOTICE OF RESCISSION - REPORT 7.1 CONCLUSION OF KENT ROAD SEPARATED BIKE LANE TRIAL AND NEXT STEPS FOR COBURG TO GLENROY BIKE ROUTE

At the Council meeting held on 13 September 2023, Report 7.1 *Conclusion of Kent Road Separated Bike Lane Trial and Next Steps for Coburg to Glenroy Bike Route* was adopted.

Cr Conlan has given notice to rescind the motion on the basis that 2 Councillors were absent from the meeting and were not able to vote on this important matter that has been the subject of significant community debate and involvement.

Rescission Motion

That Council rescinds the resolution related to Report 7.1 *Conclusion of Kent Road Separated Bike Lane Trial and Next Steps for Coburg to Glenroy Bike Route* adopted at the Council meeting held on 13 September 2023.

That Council, in light of survey results not favouring making permanent the Kent Road separated bike lanes:

- 1. Declares the trial of the Kent Road separated bike lanes complete.*
- 2. Approves the removal of the Kent Road separated bike lane infrastructure along the north (eastbound) side of Kent Road between Cornwall Road and Cumberland*

Road, and along the south (westbound) side of Kent Road between Cumberland Road and Cornwall Road.

3. Approves consultation with the community on the following proposals:
 - a) To establish and provide wayfinding aids for a Glenroy to Coburg bike route for less confident bike riders by using a Pascoe Vale Shimmy route as shown at Attachment 1.
 - b) To implement a range of measures along the Pascoe Vale Shimmy route south of Kent Road to support its use by less confident bike riders.
 - c) To protect less confident bike riders on the short Kent Road section of the Pascoe Vale Shimmy route by installing a separated bidirectional bike lane involving the removal of parking along the south side of Kent Road between Valerie Street and Cornwall Road.
 - d) To modify the Cornwall Road and Kent Road intersection including redesign of the splitter island and kerb outstand on the south side of Cornwall Road so that the bike and pedestrian crossing points are clarified.
 - e) To recognise that more confident bike riders are likely to continue to use the Kent Road route from Cornwall Road to Derby Street, and then Derby Street from Kent Road to O’Hea Street as an alternative way to cycle between Glenroy and Coburg, and therefore provide bike “sharrow” markings on the section of Kent Road west of Cumberland Road in keeping with the Department of Transport and Planning treatment to the east of Cumberland Road.
 - f) To install a zebra crossing outside the Pascoe Vale Health Medical Centre.
4. Receives a report before the end of 2023 documenting the community feedback on the proposed Pascoe Vale Shimmy route and treatments along Kent Road outlined in point 3 above, with recommendations on next steps.
5. Acknowledges and thanks the community for their time and effort over the extended two-year trial in both identifying issues and working on solutions, which has provided valuable insight into the application of on-road physically separated bike lanes in the local context.
6. Receives a report before the end of 2023 for options to install on-road protected bike lanes within the vicinity of Kent Road.

Resolution

Cr Conlan moved, Cr Bolton seconded -

That Council rescinds the resolution related to Report 7.1 Conclusion of Kent Road Separated Bike Lane Trial and Next Steps for Coburg to Glenroy Bike Route adopted at the Council meeting held on 13 September 2023.

That Council, in light of survey results not favouring making permanent the Kent Road separated bike lanes:

1. ***Declares the trial of the Kent Road separated bike lanes complete.***
2. ***Approves the removal of the Kent Road separated bike lane infrastructure along the north (eastbound) side of Kent Road between Cornwall Road and Cumberland Road, and along the south (westbound) side of Kent Road between Cumberland Road and Cornwall Road.***
3. ***Approves consultation with the community on the following proposals:***
 - a) ***To establish and provide wayfinding aids for a Glenroy to Coburg bike route for less confident bike riders by using a Pascoe Vale Shimmy route as shown at Attachment 1.***

- b) *To implement a range of measures along the Pascoe Vale Shimmy route south of Kent Road to support its use by less confident bike riders.*
 - c) *To protect less confident bike riders on the short Kent Road section of the Pascoe Vale Shimmy route by installing a separated bidirectional bike lane involving the removal of parking along the south side of Kent Road between Valerie Street and Cornwall Road.*
 - d) *To modify the Cornwall Road and Kent Road intersection including redesign of the splitter island and kerb outstand on the south side of Cornwall Road so that the bike and pedestrian crossing points are clarified.*
 - e) *To recognise that more confident bike riders are likely to continue to use the Kent Road route from Cornwall Road to Derby Street, and then Derby Street from Kent Road to O’Hea Street as an alternative way to cycle between Glenroy and Coburg, and therefore provide bike “sharrow” markings on the section of Kent Road west of Cumberland Road in keeping with the Department of Transport and Planning treatment to the east of Cumberland Road.*
 - f) *To install a zebra crossing outside the Pascoe Vale Health Medical Centre.*
4. *Receives a report before the end of 2023 documenting the community feedback on the proposed Pascoe Vale Shimmy route and treatments along Kent Road outlined in point 3 above, with recommendations on next steps.*
 5. *Acknowledges and thanks the community for their time and effort over the extended two-year trial in both identifying issues and working on solutions, which has provided valuable insight into the application of on-road physically separated bike lanes in the local context.*
 6. *Receives a report before the end of 2023 for options to install on-road protected bike lanes within the vicinity of Kent Road.*

Carried on the casting vote of the Mayor

Cr Tapinos called for a division.

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

CONCLUSION OF KENT ROAD SEPARATED BIKE LANE TRIAL AND NEXT STEPS FOR COBURG TO GLENROY BIKE ROUTE (REPORT 7.1, 13 SEPTEMBER 2023)

Motion

Cr Conlan moved, Cr Pulford seconded -

That Council:

1. Declares the trial of the Kent Road separated bike lanes complete.
2. Approves making permanent the Kent Road separated bike lane infrastructure along the north (eastbound) side of Kent Road between Cornwall Road and Cumberland

Road, and along the south (westbound) side of Kent Road between Cumberland Road and Cornwall Road.

3. Investigates and implements modifications to the Cornwall Road and Kent Road intersection so that the bike and pedestrian crossing points are clarified.
4. To install a zebra crossing outside the Pascoe Vale Health Medical Centre, noting this involves the removal of 5 parking bays.
5. Acknowledges and thanks the community for their time and effort over the extended two-year trial in both identifying issues and working on solutions, which has provided valuable insight into the application of on-road physically separated bike lanes in the local context.

Motion

Cr Pavlidis moved, Cr Tapinos seconded -

That Council defers consideration of this motion to the next Council meeting.

Lost on the casting vote of the Mayor

Resolution

Cr Conlan moved, Cr Pulford seconded –

That Council:

1. **Declares the trial of the Kent Road separated bike lanes complete.**
2. **Approves making permanent the Kent Road separated bike lane infrastructure along the north (eastbound) side of Kent Road between Cornwall Road and Cumberland Road, and along the south (westbound) side of Kent Road between Cumberland Road and Cornwall Road.**
3. **Investigates and implements modifications to the Cornwall Road and Kent Road intersection so that the bike and pedestrian crossing points are clarified.**
4. **To install a zebra crossing outside the Pascoe Vale Health Medical Centre, noting this involves the removal of 5 parking bays.**
5. **Acknowledges and thanks the community for their time and effort over the extended two-year trial in both identifying issues and working on solutions, which has provided valuable insight into the application of on-road physically separated bike lanes in the local context.**

Carried on the casting vote of the Mayor

Mayor Cr Panopoulos called for a division.

For	Against	Abstained
Cr Bolton	Cr Davidson	Cr Tapinos
Cr Pulford	Cr Yildiz	
Cr Panopoulos	Cr Pavlidis	
Cr Conlan	Cr Harte	
Cr Riley		
Total For (5)	Total Against (4)	Total Abstained (1)

RESCINDED

This resolution was rescinded by Council at its meeting of 8 November 2023.

Meeting Adjournment

Resolution

Cr Panopoulos moved, Cr Harte seconded -

That Council adjourn the meeting for five minutes at 8.56 pm.

Carried

Mayor Cr Panopoulos resumed the meeting at 9.09 pm.

9.09 pm *Cr Harte left the meeting.*
9.10 pm *Cr Harte returned to the meeting.*
9.10 pm *Cr Davidson re-entered the meeting.*
9.12 pm *Cr Yildiz re-entered the meeting.*
9.16 pm *Cr Yildiz left the meeting and did not return.*

7.9 PROPOSED SALE OF THE FORMER GLENROY LIBRARY AT 737 PASCOE VALE ROAD GLENROY

Executive Summary

Council's significant investment in a brand-new facility in Glenroy, the Glenroy Hub, is now complete and fully operational, and delivering benefits to the local community. The sale of the former Glenroy Library site has long been identified as a major funding strategy for the construction of the Hub, once all the Council functions being delivered from 737 Pascoe Vale Road were moved into the new purpose-built library spaces in the Hub. This has now happened and 737 Pascoe Vale Road is vacant.

There is a sizeable amount owing on the loan Council secured in order to construct the Glenroy Hub. The proceeds of the sale constitute a vital financial resource for the organisation.

At its meeting on 10 May 2023 Council confirmed its previous resolution to declare the former Glenroy Library site at 737 Pascoe Vale Road, Glenroy surplus to municipal needs and resolved in accordance with section 114 of the *Local Government Act 2020* to give public notice of intention to sell the site in The Age newspaper, on Council's Conversations Merri-bek website, on Council's corporate website and by placing a notice on the site inviting written submissions.

Public notice was given in The Age newspaper, on Council's corporate website and on Council's Conversations Merri-bek on 19 May 2023 inviting written submissions. In addition, 1,466 letters were mailed to landowners and occupiers in the vicinity of the subject site advising of the proposal and inviting written submissions.

A total of 29 submissions were received, see Attachment 1. Nine submitters requested to be heard, three of whom were supportive of the sale and six opposed. A Hearing of Submissions Committee meeting was held on 28 August 2023 and a summary of the proceedings is detailed in Attachment 2.

Council, having satisfied its statutory obligations under the *Local Government Act 2020* and its Community Engagement Policy, is now in a position to make a decision regarding the proposed sale of the former Glenroy Library at 737 Pascoe Vale, Glenroy. This report recommends that Council proceeds with the sale of this site via a public process.

Officer Recommendation

That Council:

1. Notes that all of the Council functions of the building at 737 Pascoe Vale Road Glenroy have been moved into the new purpose-built Glenroy Hub as planned.

2. Notes the 29 submissions received in relation to the proposed sale of the former Glenroy Library at 737 Pascoe Vale Road, Glenroy.
3. Having fulfilled its obligations under Sections 114 of the *Local Government Act 2020* (the Act) and Council's Community Engagement Policy supports the proposal to sell the site at 737 Pascoe Vale Road, Glenroy by a public process.
4. Write to all submitters advising them of the Council's decision.
5. Authorises the Director Place and Environment to do all things necessary to effect the sale of the former Glenroy Library by public auction.

Resolution

Cr Riley moved, Cr Tapinos seconded -

That Council:

1. **Notes that all of the Council functions of the building at 737 Pascoe Vale Road Glenroy have been moved into the new purpose-built Glenroy Hub as planned.**
2. **Notes the 29 submissions received in relation to the proposed sale of the former Glenroy Library at 737 Pascoe Vale Road, Glenroy.**
3. **Having fulfilled its obligations under Sections 114 of the Local Government Act 2020 (the Act) and Council's Community Engagement Policy supports the proposal to sell the site at 737 Pascoe Vale Road, Glenroy by a public process.**
4. **Write to all submitters advising them of the Council's decision.**
5. **Authorises the Director Place and Environment to do all things necessary to effect the sale of the former Glenroy Library by public auction.**

Carried

Cr Bolton abstained from the vote.

7.3 2022-23 MERRI-BEK CITY COUNCIL ANNUAL REPORT

Executive Summary

The Merri-bek City Council Annual Report 2022-23 contains Council's audited Financial and Performance Statements and provides information on Council operations and services delivered to and for the community for the 2022-23 financial year.

The report, at Attachment 1, contains the key highlights and achievements of Council for the year.

A summary micro-website is currently in production to share Council's achievements over the past year with the community in an engaging and accessible way. This micro-website will be published later this year and will be promoted widely via Council's communications channels.

Officer Recommendation

That Council:

1. Formally receives the Merri-bek City Council Annual Report 2022-23.
2. Authorises the Director Community to make minor changes if needed to the report.

Resolution

Cr Panopoulos moved, Cr Harte seconded -

That Council:

- 1. Formally receives the Merri-bek City Council Annual Report 2022-23.**
- 2. Authorises the Director Community to make minor changes if needed to the report.**

Carried

7.4 DRAFT HOMELESSNESS STRATEGY

Executive Summary

The strategy aims to address the multi-faceted issue of homelessness in Merri-bek, encompassing identifying needs and gaps, direct Council responses, and early intervention and prevention measures. It aligns with critical Council plans and policies, including the Council Plan 2021-2025, and draws upon lived experiences and community organisations for a well-rounded approach. The draft strategy also recommends a budget allocation to support its implementation in an ongoing way. In October, further engagement will be pursued on the draft. A detailed action plan will be developed to effectively implement this comprehensive strategy, pending Council's approval of the initial draft and associated budget allocation.

The homelessness landscape in Merri-bek is rapidly evolving due to financial instability, family violence, and housing crises. Official data likely underrepresents the scope of the issue, and the COVID-19 pandemic and climate change have further complicated the situation. Given these complexities, the strategy underscores the need for a multi-faceted approach that includes response, long-term intervention, and prevention efforts. It emphasises community engagement, partnerships, and advocacy to make homelessness rare, brief, and non-recurring.

Officer Recommendation

That Council:

- 1. Endorses the Draft Homelessness Strategy (Attachment 1) for further community engagement from October 2023 until February 2024.**
- 2. Refers additional funding recommendations contained in the draft strategy for consideration as part of the 2024/25 budgeting process.**

Resolution

Cr Harte moved, Cr Bolton seconded -

That Council:

- 1. Endorses the Draft Homelessness Strategy (Attachment 1) for further community engagement from October 2023 until February 2024.**
- 2. Refers additional funding recommendations contained in the draft strategy for consideration as part of the 2024/25 budgeting process.**

Carried

7.5 NATIONAL HOUSING AND HOMELESSNESS PLAN - SUBMISSION

Executive Summary

The need for an increase in the provision of social and affordable housing has been a consistent policy position of Council since its establishment in the mid-Nineties. Council has established an arms-length company, Merri-bek Affordable Housing to facilitate delivery of affordable housing on its land. Council also has a 4-year Affordable Housing Action Plan (AHAP), negotiates the delivery of affordable housing through the permit application process, and is currently developing a Homelessness Strategy.

The Federal Government is developing a National Housing and Homelessness Plan and has released an Issues Paper on Housing and Homelessness in Australia. The Plan will be a 10-year strategy that will inform future housing and homelessness policy in Australia. Council officers have prepared a response to the Issues Paper (Attachment 1).

The drafting of a National Housing and Homelessness Plan is hoped to be a generational opportunity to get the settings right across all levels of government for the challenges of the present and the future. The submission sets out what actions Council has been taking and its advocacy under the AHAP. The recommendations of the submission include making investment in public and community outcomes a priority, using mandatory provisions in the planning system for affordable housing and properly resourcing emergency and transitional housing for people who are homeless.

Officer Recommendation

That Council:

1. Endorses the submission to the National Housing and Homelessness Plan (at Attachment 1 to this report).
2. Authorises the Director Place and Environment to make any final minor edits and submit the document to the Department of Social Services.

Resolution

Cr Harte moved, Cr Pulford seconded -

That Council:

1. **Endorses the submission to the National Housing and Homelessness Plan (at Attachment 1 to this report) subject to the wording of the fifth dot point under Point 1 and Point 10 recommendation being amended to read:**
“The planning system should be used to bolster the delivery of social and affordable housing that is affordable in perpetuity through mandatory contributions by landowners and developers [Focus Area 3.6].”
2. **Authorises the Director Place and Environment to make any final minor edits and submit the document to the Department of Social Services.**

Carried

7.6 SAFETY ISSUES ON MELVILLE ROAD BETWEEN VICTORIA AND ALBION STREETS, BRUNSWICK WEST

Executive Summary

In March 2023, a pedestrian was struck and later died as they attempted to cross Melville Road at the intersection with Hope Street after a driver had failed to give way to them when both the pedestrian and driver had their respective green traffic signal. In response, at the April 2023 Council meeting, a notice of motion was resolved to request a report to analyse the current safety issues on Melville Road between Victoria and Albion Streets in Brunswick West.

Melville Road is a secondary state arterial road which is managed by the Department of Transport and Planning (DTP). Whilst Council cannot make decisions on how the road or intersections are managed, there are opportunities to advocate for improved safety outcomes.

In the past five years, there have been 30 recorded crashes on Melville Road between Victoria and Albion Streets. Eight of the recorded crashes resulted in serious injuries. Six of the recorded crashes involved pedestrians.

Midblock recorded crashes

Council officers have reviewed the details of the eight mid-block crashes (not at an intersection) and have not found any consistent crash trends. The crash causes were largely due to driver error and are consistent with other recorded crashes on arterial roads in the municipality. However, a lower posted speed limit may have reduced the likelihood and severity of seven of these eight recorded crashes.

Speed limit reduction

Melville Road does not meet the warrants in the current VicRoads guidelines to lower the posted speed limit below 60 km/h. However, there are still opportunities to advocate to DTP for lower posted speed limits to address the existing safety concerns. Of the 30 recorded crashes in the study area, Council officers have assessed that 20 may have been influenced by the existing speed limit on Melville Road and that lowering the posted speed limit could reduce the likelihood and severity of any future crashes.

Identified as a key advocacy item in the Merri-bek submission to the “Inquiry into the impact of road safety behaviours on vulnerable road users”, there is an opportunity for a review of the criteria for reduced speed limits in activity centres to allow neighbourhood centres to have localised 40 km/h speed limits beyond the existing prescriptive warrants. The existing rigid criteria requires a minimum 400m of continuous shops that span both sides of the road which generate high pedestrian crossing movements for at least four hours per day, and preferably five days a week. Broadening the criteria for 40 km/h speed limits in neighbourhood centres could then provide an opportunity for places such as Melville Road to be eligible for lower posted speed limits.

Albion Street intersection with Melville Road

There have been eight recorded crashes at the intersection of Albion Street and Melville Road in the past five years. For this report, a trend is a factor that has contributed to three or more recorded crashes. There are no clearly defined crash trends but there are two themes. The first theme is that there have been two instances where a right turning driver from the western Albion Street approach has failed to give way and collided with a pedestrian crossing Melville Road. The second is that on three of the four approaches, there are instances where drivers have failed to stop at the red light which may indicate that there is poor visibility of the intersection. Council officers would recommend advocating to DTP to:

- Investigate opportunities to improve the visibility of the intersection from all four approaches with options to potentially relocate traffic signal displays or provide advanced warning signs for the signalised intersection.
- Provide static ‘GIVE WAY TO PEDS’ signs facing the western Albion Street approach to address the two recorded crashes where drivers failed to give way to pedestrians.

Hope Street intersection with Melville Road

Of the nine recorded crashes at the intersection with Hope Street and Melville Road, there is a crash trend where on four instances, drivers approaching from Hope Street are failing to give way to pedestrians crossing Melville Road. This does not include the recorded fatality in March 2023 which would increase the total number of crashes involving drivers failing to give way to pedestrians to five.

A filter turn is a turning movement where a driver must give way to opposing vehicle and/or pedestrian movements before proceeding. When drivers undertake a filtered turn at a signalised intersection, this creates a conflict with oncoming vehicles and pedestrians who are crossing the road with their green traffic signal. Drivers may be focused on finding a gap in the oncoming traffic and not expect to see a pedestrian crossing Melville Road. To raise driver awareness of pedestrians crossing at this intersection, Council officers would recommend advocating for the DTP to fund the provision of two LED 'GIVE WAY TO PEDS' displays for the Hope Street approaches to the intersection with Melville Road.

Victoria Street intersection with Melville Road

There were five recorded crashes at the intersection of Victoria Street and Melville Road. Three crashes involved a driver failing to give way to oncoming traffic as they attempted to turn right into Victoria Street. To address the crash trend of drivers failing to give way to oncoming traffic, Council encourages DTP to review the existing traffic phases to favour separating north and southbound traffic movements. Given Melville Road is a tram route and a busy arterial road, DTP may be reluctant to support the suggested treatment as it would lower the capacity of Melville Road to carry through traffic volumes.

Officer Recommendation

That Council:

1. Notes that Melville Road is an arterial road under the jurisdiction of the State Government Department of Transport and Planning (DTP).
2. To address existing crash trends along Melville Road between and including the intersections with Albion Street and Victoria Street, Brunswick West, authorises Council officers to write to DTP to advocate for the following items:
 - a) At the intersection of Albion Street and Melville Road, that DTP investigate opportunities to improve the visibility of the intersection from all four approaches with options to potentially relocate traffic signal displays or provide advanced warning signs for the signalised intersection.
 - b) To provide a static give way to pedestrian sign on the western Albion Street approach to address the two recorded crashes where drivers failed to give way to pedestrians.
 - c) To address the recorded crashes that were a result of drivers failing to give way to pedestrians crossing Melville Road, install two flashing LED 'GIVE WAY TO PEDS' displays to alert Hope Street motorists approaching the intersection.
 - d) To address the crash trend of drivers failing to give way to oncoming traffic at the Victoria Street and Melville Road intersection, encourage DTP to review the existing traffic phases to favour separating north and southbound traffic movements.
 - e) 50 km/h speed limits (and 40 km/h school zones) on Melville Road between Albion Street and Dawson Street.
 - f) a review of the criteria for reduced speed limits in activity centres to allow neighbourhood centres to have localised 40 km/h speed limits beyond the existing rigid criteria that requires a minimum 400m of continuous shops that span both sides of the road which also generate high pedestrian crossing movements for at least four hours per day, and preferably five days a week.

Resolution

Cr Riley moved, Cr Conlan seconded -

That Council:

- 1. Notes that Melville Road is an arterial road under the jurisdiction of the State Government Department of Transport and Planning (DTP).**
- 2. To address existing crash trends along Melville Road between and including the intersections with Albion Street and Victoria Street, Brunswick West, authorises Council officers to write to DTP to advocate for the following items:**
 - a) At the intersection of Albion Street and Melville Road, that DTP investigate opportunities to improve the visibility of the intersection from all four approaches with options to potentially relocate traffic signal displays or provide advanced warning signs for the signalised intersection.**
 - b) To provide a static give way to pedestrian sign on the western Albion Street approach to address the two recorded crashes where drivers failed to give way to pedestrians.**
 - c) To address the recorded crashes that were a result of drivers failing to give way to pedestrians crossing Melville Road at Hope Street, install two flashing LED 'GIVE WAY TO PEDS' displays to alert Hope Street motorists approaching the intersection and adjust traffic signal phasing at the intersection to facilitate an early head start phasing for pedestrians on east-west crossings.**
 - d) To address the crash trend of drivers failing to give way to oncoming traffic at the Victoria Street and Melville Road intersection, encourage DTP to review the existing traffic phases to favour separating north and southbound traffic movements.**
 - e) 50 km/h speed limits (and 40 km/h school zones) on Melville Road between Albion Street and Dawson Street.**
 - f) a review of the criteria for reduced speed limits in activity centres to allow neighbourhood centres to have localised 40 km/h speed limits beyond the existing rigid criteria that requires a minimum 400m of continuous shops that span both sides of the road which also generate high pedestrian crossing movements for at least four hours per day, and preferably five days a week.**

Carried

7.7 REVITALISATION OF SYDNEY ROAD

Executive Summary

The Sydney Road shopping strip is about four kilometres in length, running from Brunswick Road in Brunswick through to Bell Street in Coburg. This part of Sydney Road sits within either the Brunswick Activity Centre or the Coburg Activity Centre, where it is expected that there will be a concentration of major retail, residential, commercial, administrative, entertainment and cultural developments.

It is a very significant road in the municipality and is important to the life of the city from multiple perspectives including the local economy, culture and character, transport, environmental impact and local amenity. It is also a complex context, due to its scale and the number of parties responsible for its improvement and maintenance.

This report responds to a Council resolution which calls for a report outlining options for the preparation of a guidance document and action plan for improving the amenity and appearance along the Sydney Road corridor from Brunswick to Coburg.

The appearance, cleanliness and vibrancy of a shopping strip influences customer visitation to a shopping strip and the desirability of street for prospective businesses. A successful revitalisation program would have a positive economic impact. However, Sydney Road's declared Arterial Road status means that Council's scope of influence is limited to the footpath and supporting business and building owners to present high quality shopfronts and building facades to the public realm.

The options put forward in this report take all of this into account, along with Council's existing work program and resourcing. Additional funding and resourcing would be required to deliver the proposed options. For this reason, they are proposed over a number of financial years and would be subject to consideration as part of future budget review and preparation.

In addition to the consideration of any of these options, Council will continue in its ongoing advocacy to the State Government for a partnership approach to revitalising the Brunswick section of Sydney Road as detailed in Council's position paper on the Brunswick Level Crossing Removals: *Reshaping Brunswick* and for accessible tram stops to be installed on Sydney Road.

Officer Recommendation

That Council:

1. Endorses the options for revitalising Sydney Road as outlined in Attachment 1 to this report.
2. Refers \$74,750 of the street cleaning action and \$25,000 for the graffiti removal blitz to the 2023/2024 1st Quarter budget review process.
3. Refers the costs for the remaining options for consideration in the 2024/2025 and 2025/2026 budget processes, in accordance with Attachment 1 to this report.

Resolution

Cr Pavlidis moved, Cr Tapinos seconded -

That Council:

1. **Endorses the options for revitalising Sydney Road as outlined in Attachment 1 to this report.**
2. **Refers \$74,750 of the street cleaning action and \$25,000 for the graffiti removal blitz to the 2023/2024 1st Quarter budget review process.**
3. **Refers the costs for the remaining options for consideration in the 2024/2025 and 2025/2026 budget processes, in accordance with Attachment 1 to this report.**
4. **Notes that there are only about 200 bike hoops along the entire four kilometre stretch of Sydney Road from Brunswick Road to Bell Street.**
5. **As part of the draft Transport Strategy and Action Plan, considers an action for adopting a proactive approach to identifying gaps in the bicycle parking network and installing bike hoops in these gap areas, particularly in key destinations like Merri-bek's activity centres.**

Carried

7.8 PROPOSED NAMING OF SERVICE STREET PARK, COBURG - VOTING POLL

Executive Summary

Council is creating a new park located at 41-43 Service Street, Coburg. A location map is provided in Attachment 1 of this report and the park is part of Council's 'A Park Close to Home' project. The new park will need to be named; this report proposes a shortlist of names to be voted upon.

Council officers have undertaken public consultation to seek naming suggestions for the new park. This consultation was listed on Council's website, Conversations Merri-bek, on Council's intranet site and letters were sent to the surrounding properties of the future park.

12 submissions were received, with 11 different names for the park suggested. Of these names, only one (Kirrip biik meaning 'friend place') meets the mandatory Geographic Names Victoria's (GNV) Naming rules for places in Victoria, Statutory requirements for naming roads, features and localities – 2022 (the Naming Rules) and Council's preference criteria. Other suggested names through the public submission process did not meet the rules, for example because they were too long, used a commercial name, proposed an Indigenous name not in the Woi Wurrung language, didn't meet Council's priorities for naming, or because other places shared too similar a name in the nearby area.

A further name (Dalang meaning 'shell') has been shortlisted that was previously put forward for a park naming project by the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation.

For the use of an Indigenous name, Council must obtain approval from the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation and these names must be in the Woi Wurrung language.

Council has received approval from the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal to use the previously submitted name Dalang.

The Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation has provided permission to use Kirrip biik and Dalang.

Council must now consult with the community to ensure any chosen name will have community support. Two names for the park are proposed to be included in the voting poll.

- Kirrip biik
- Dalang

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

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

Officer Recommendation

That Council:

1. Endorses, for inclusion in a voting poll, the following two names for the park at 41-43 Service Street, Coburg:
 - a) Kirrip biik
 - b) Dalang
2. Establishes a voting poll on Council's website and Conversations Merri-bek and notifies submitters, owners and occupiers in the immediate community.

3. Receives a further report with the results of the voting poll, with a recommendation for Council to adopt a name for the park at 41-43 Service Street, Coburg.

Resolution

Cr Pulford moved, Cr Harte seconded -

That Council:

1. **Endorses, for inclusion in a voting poll, the following two names for the park at 41-43 Service Street, Coburg:**
 - a) **Kirrip biik**
 - b) **Dalang**
2. **Establishes a voting poll on Council's website and Conversations Merri-bek and notifies submitters, owners and occupiers in the immediate community.**
3. **Receives a further report with the results of the voting poll, with a recommendation for Council to adopt a name for the park at 41-43 Service Street, Coburg.**

Carried

The order of business was altered and Report 7.9 *Proposed sale of the former Glenroy Library at 737 Pascoe Vale Road Glenroy* was considered fourth after Notice of Rescission 9.1.

Time Extension

Resolution

Cr Harte moved, Cr Conlan seconded -

That the Council meeting be extended by 30 minutes until 10.30 pm.

Carried

7.10 PROPOSED SALE UNIT 1, 6 SUTHERLAND STREET COBURG

Executive Summary

At its meeting on 10 May 2023 Council selected Aboriginal Housing Victoria as its preferred purchaser for the sale of 1/6 Sutherland Street, Coburg and resolved in accordance with section 114 of the *Local Government Act 2020* to give public notice of its intention to sell the site.

Public notice was given in *The Age* newspaper, on Council's Corporate website, and on Council's Conversations Merri-bek website on 17 July 2023 inviting written submissions. In addition, 414 letters were mailed to landowners and occupiers in the vicinity of the subject site advising of the proposal and inviting written submissions. A copy of the public notice was placed on the subject site at 1/6 Sutherland Street, Coburg.

A total of 12 submissions were received, see Attachment 1. Three submitters requested to be heard, all in support of the sale. A Hearing of Submissions Committee meeting was held on 18 September 2023. A summary of the proceedings is detailed at Attachment 2.

Council, having satisfied its statutory requirements under the *Local Government Act 2020* and its Community Engagement Policy, is now in a position to make a decision regarding the proposed sale of 1/6 Sutherland Street, Coburg. This report recommends that Council proceeds with the sale of this site to Aboriginal Housing Victoria under the following key terms:

- a) at a price of 90 per cent of market value
- b) subject to the purchaser obtaining funding for the purchase within 8 months from the date of the resolution
- c) subject to the purchaser entering into a section 173 agreement to be registered on title, to provide that for a period of 20 years the Property must only be used for social housing, and on such other terms and conditions as may be required by Council.

Officer Recommendation

That Council:

1. Notes the 12 submissions received in relation to the proposed sale of Unit 1, 6 Sutherland Street, Coburg.
2. Notes a hearing of submissions was held at a Hearings Committee Meeting on 18 September 2023
3. Having fulfilled its obligations under Section 114 of the *Local Government Act 2020* (the Act) and the Community Engagement Policy, supports the proposal to sell the property to Aboriginal Housing Victoria and if Aboriginal Housing Victoria is not able to obtain funding within the required timeframe, that Council commence the statutory process pursuant to section 114 of the *Local Government Act 2020* for the sale of the Property by auction at a price not less than a market valuation held by Council with funds from the sale to be allocated to Council's Housing Strategy Reserve.
4. Notes the Property Coordinator will write to all submitters advising them of Council's decision.
5. Authorises the Director Place and Environment/Manager Property, Place and Design to do all things necessary to effect the sale of Unit 1, 6 Sutherland Street, Coburg to Aboriginal Housing Victoria:
 - a) At a price of 90 per cent of market value.
 - b) Subject to the purchaser obtaining funding for the purchase within 8 months from the date of the resolution, on the 10 May 2023.
 - c) Subject to the purchaser entering into a section 173 agreement to be registered on title, to provide that for a period of 20 years the Property must only be used for social housing, and on such other terms and conditions as may be required by Council.

Resolution

Cr Conlan moved, Cr Bolton seconded -

That Council:

- 1. Notes the 12 submissions received in relation to the proposed sale of Unit 1, 6 Sutherland Street, Coburg.**
- 2. Notes a hearing of submissions was held at a Hearings Committee Meeting on 18 September 2023**

3. **Having fulfilled its obligations under Section 114 of the Local Government Act 2020 (the Act) and the Community Engagement Policy, supports the proposal to sell the property to Aboriginal Housing Victoria and if Aboriginal Housing Victoria is not able to obtain funding within the required timeframe, that a further report is presented to Council with options for achieving an affordable housing outcome from this site. If an affordable housing option does not materialise, any proposal to sell the property will come to council for a decision.**
4. **Notes the Property Coordinator will write to all submitters advising them of Council's decision.**
5. **Authorises the Director Place and Environment/Manager Property, Place and Design to do all things necessary to effect the sale of Unit 1, 6 Sutherland Street, Coburg to Aboriginal Housing Victoria:**
 - a) **At a price of 90 per cent of market value.**
 - b) **Subject to the purchaser obtaining funding for the purchase within 12 months from the date of the resolution, on the 10 May 2023.**
 - c) **Subject to the purchaser entering into a section 173 agreement to be registered on title, to provide that for a period of 20 years the Property must only be used for social housing, and on such other terms and conditions as may be required by Council.**

Carried

7.11 PROPOSED EOI FOR A CAFE AT 14 FRITH STREET BRUNSWICK

Executive Summary

In April 2019, Council purchased the property at 14 Frith Street, Brunswick to contribute towards the provision of open space, under Council's *Park Close To Home* Framework. Council endorsed a concept plan in mid-2022. Construction on the new park has commenced and is expected to be complete before the end of 2023. The plan for the site shows retention of the heritage façade and other built form elements to complement the park. To the northwest of the site, an enclosed area is being retained and this provides an opportunity for a hospitality operator to add an extra level of offer to users of the new park.

Potential benefits of using this space as a café or similar hospitality business include additional social gathering and event spaces, contribution to the local economy, and provision of training and employment pathways to locals and/or those who are disadvantaged in the labour market.

Proposed criteria for evaluation of proposals would focus firstly on bidders' capacity to operate a viable business, as well as seeking wider social benefits consistent with the vision proposed for the park. Due to the constraints of the site, it is unknown whether a suitable operator can be found, and this report recommends commencing an Expression of Interest (EOI) process to test interest in taking up the site by a suitably experienced and capable hospitality operator.

Officer Recommendation

That Council:

1. **Endorses a public Expression of Interest process to procure an operator to manage and operate a café (approx. 353m²) at the Council owned property at 14 Frith Street, Brunswick.**

2. Receives a further report on the outcome of the Expression of Interest process with recommendations as to the next steps.

Resolution

Cr Tapinos moved, Cr Riley seconded -

That Council:

1. **Endorses a public Expression of Interest process to procure an operator to manage and operate a café (approx. 353m²) at the Council owned property at 14 Frith Street, Brunswick.**
2. **Includes criteria in the Expression of Interest process to test respondents' capacity to operate a viable business, their capacity to deliver additional social benefits, and their capacity to provide activation benefits in line with the vision for the new park.**
3. **Receives a further report on the outcome of the Expression of Interest process with recommendations as to the next steps.**

10.02 pm *Cr Pavlidis left the meeting.*

10.02 pm *Cr Pavlidis returned to the meeting.*

10.03 pm *Cr Pavlidis left the meeting.*

10.03 pm *Cr Pavlidis returned to the meeting.*

Carried

7.12 DRAFT ASSET MANAGEMENT POLICY FOR PUBLIC EXHIBITION

Executive Summary

Council manages a portfolio of infrastructure assets with a total replacement value of approximately \$2.1 billion. The National Asset Management Assessment Framework (NAMAF) and ISO 55000 – Asset Management requires a policy to be formulated to provide leadership, commitment and stewardship in respect to how these assets are managed.

The assets that are covered under this policy include transport assets (roads, bridges, retaining walls, footpath and shared paths), drainage, buildings, parks, playgrounds and open space. Council's current Asset Management Policy was adopted in 2019 with a requirement for it to be reviewed every 4 years.

Officer Recommendation

That Council endorses the release of the draft Asset Management Policy 2023 for community exhibition for a period of 3 weeks.

Resolution

Cr Pulford moved, Cr Harte seconded -

That Council endorses the release of the draft Asset Management Policy 2023 for community exhibition for a period of 3 weeks.

10.04 pm *Cr Conlan left the meeting.*

Carried

7.13 DRAFT LEASE AND LICENCE POLICY

Executive Summary

Council is the owner of an extensive property portfolio providing a range of Council owned land and buildings for the recreational, cultural, educational and social benefit of the Merri-bek community.

In May 2022, an internal audit of Council's Leases and Licences was finalised. One of the audit recommendations was to review and update the policy framework to manage leases and licences to ensure their currency and applicability. The due date for this is December 2023.

The draft Lease and Licence Policy, at Attachment 1, is intended to replace the existing Lease Principles Policy (2001) and Property Leasing Policy (2003) which were adopted at a time when many of our community groups did not have a formal agreement with Council. Since then, our tenant base has changed; we have an increasing number of tenants delivering community benefit and now host a diverse portfolio. The objective of this revised policy is to ensure the implementation of a contemporary and efficient approach, whilst upholding our commitment to supporting community-based organisations.

The draft policy provides a consistent framework to assess applications, prepare, negotiate and execute leases and licences for tenanted properties in a transparent, equitable, effective and consistent manner. It also provides for a revised fee structure recognising the current formula for community groups is no longer suitable.

For the majority of Council's tenants there will be little or no changes to their rent or obligations as a result of this update. Communications will be made with all tenants to outline specifically if and how they will be affected and to invite their feedback prior to presenting a final version of the policy for consideration of adoption by Council.

Officer Recommendation

That Council:

1. Engages with the community on the draft Lease and Licence Policy (2023), for a period of four weeks.
2. Receives a further report outlining feedback and submissions received, and any subsequent changes made as a result of those submissions.

Resolution

Cr Pulford moved, Cr Riley seconded -

That Council:

1. **Engages with the community on the draft Lease and Licence Policy (2023), for a period of four weeks.**
2. **Receives a further report outlining feedback and submissions received, and any subsequent changes made as a result of those submissions.**

Carried

7.14 ADOPTION OF COUNCIL'S GOVERNANCE RULES 2023

Executive Summary

At its meeting of 9 August 2023, Council resolved to endorse revised Governance Rules for community consultation for period of 21 Business days, via Conversations Merri-bek. At the close of the submission period, 7 submissions were received from 2 submitters.

Upon review of the submissions received, this report does not propose additional amendments to the revised Governance Rules as exhibited. Submissions received consisted of: matters that can be categorised as questions or statements; matters that are resolved through existing processes and legislation (i.e. not needing to be repeated in the Governance Rules); matters already included in the exhibited Governance Rules; and matters which Council officers have determined may conflict with established Governance Rules and/or have the potential to disrupt the flow/running of Council meetings inadvertently.

A summary of the submissions received, together with the Council Officer responses is provided in Attachment 2.

Although no additional amendments are recommended in response to community submissions received, Council officers recommend addressing an inconsistency that emerged during the 9 August 2023 Council meeting. This inconsistency relates to question time at unscheduled Council meetings. Whilst Council rejected an amendment to Rule 3.3.2 of the revised Governance Rules which sought to include public question time at every unscheduled meeting, a corresponding section 3.6.1 (2) was not updated, inadvertently keeping question time at all Council meetings (except for ceremonial, confidential, or Planning and Related Matters meetings).

To align with the Council's initial decision against including question time at unscheduled meetings, this report recommends an amendment to Rule 3.6.1 (2) Questions of Council and Community Statements to apply to scheduled Council meetings only.

The revised Governance Rules as presented in Attachment 1 to this report for Council's consideration for adoption reflects the change to Rule 3.6.1 (2) and also retains the amendments as exhibited, which include:

- Correcting anomalies and improving readability throughout the document.
- Amending the definition of a Special Meeting to describe it as an unscheduled meeting of the Council for specific purposes.
- Adding a new rule allowing the Chairperson to determine meeting procedures when not specified in the Governance Rules.
- Amending the process for calling a Special Meeting by the Mayor or Councillors.
- Providing a definition for addressing quorum issues in Council meetings.
- Adjusting the notice requirements and agenda distribution for meetings, including considering exceptional circumstances arrangements.
- Modifying the order of business for Council Meetings, to be determined by the Chief Executive Officer.
- Ensuring time for questions from the public at scheduled Council Meetings.
- Providing information to Councillors about the number of questions received.
- Distributing written questions to Councillors before the Council Meeting.
- Handling unasked questions by taking them "On Notice."
- Allowing the Chairperson to answer questions or delegate them to appropriate parties.

- Enabling the Chairperson to refer questions to the Chief Executive Officer.
- Allowing community members to make statements related to Agenda items at Council Meetings.
- Restricting Community Statements from directing questions to individual Councillors or Council staff.
- Defining how petitions with fewer than 10 signatures should be handled.
- Introducing a rule prohibiting the wearing of face masks or head coverings that disguise identity, except for specific reasons.
- Specifying the process for the Chairperson's casting vote in the event of a tie.
- Clarifying the process for moving and seconding motions.
- Adding a provision for the Chairperson to seek another mover or seconder if mover or seconder wishes to withdraw.
- Deleting a procedural motion rule.
- Updating the policy regarding the review of Council policies.
- Expanding the scope of matters to be recorded in meeting minutes.
- Clarifying the suspension of Standing Orders in Council Meetings.
- Modifying the rules for determining the election of the Mayor/Deputy Mayor.
- Establishing a quorum for Hearing Committees.
- Altering procedures related to conflicts of interest at advisory committee meetings and other Council-supported meetings.
- Updating the record-keeping requirements for various Council meetings and briefings.
- Revising rules related to the use of Council resources during election periods.
- Deleting a paragraph about an approval memorandum in the Election Period Policy.
- Deleting Appendix 1.

Officer Recommendation

That Council:

1. Adopts the revised Governance Rules, provided as Attachment 1 to this report.
2. Writes to the submitters, thanking them for their contribution and providing a copy of the outcome of Council's decision (including a copy of responses as provided in Attachment 2).

Resolution

Cr Pavlidis moved, Cr Harte seconded -

That Council defers consideration of this item to the next Council meeting.

10.06 pm Cr Conlan returned to the meeting.

Carried

7.15 FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 31 AUGUST 2023

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

The August Income Statement shows the Council surplus is \$7.3 million better than the year-to-date revised forecast as a result of higher overall revenue and lower overall expenditure. These differences are considered largely timing in nature.

Council has spent \$6.0 million on capital expenditure, which is tracking below the year-to-date (YTD) forecast of \$10.0 million, with \$121.4 million budget remaining.

Officer Recommendation

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

Resolution

Cr Tapinos moved, Cr Pulford seconded -

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

Carried

7.16 REVIEW OF INSTRUMENT OF DELEGATION COUNCIL TO COUNCIL STAFF

Executive Summary

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

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

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

The proposed instrument at Attachment 1 reflects 1 minor change to a legislative provision under the *Planning and Environment Regulations 1987* and details changes to positions and/or titles as well removes positions that no longer have delegated powers under the instrument.

Officer Recommendation

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

1. Delegates to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in Attachment 1 to this report, the powers, duties and functions set out in that Instrument subject to the conditions and limitations specified in that Instrument and determines:

- a) The instrument comes into force immediately on being signed by the Chief Executive Officer.
- b) On the coming into force of the instrument, the previous delegation to members of Council staff adopted 12 April 2023 is revoked.
- c) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

Resolution

Cr Pulford moved, Cr Tapinos seconded -

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

- 1. Delegates to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in Attachment 1 to this report, the powers, duties and functions set out in that Instrument subject to the conditions and limitations specified in that Instrument and determines:**
 - a) The instrument comes into force immediately on being signed by the Chief Executive Officer.**
 - b) On the coming into force of the instrument, the previous delegation to members of Council staff adopted 12 April 2023 is revoked.**
 - c) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**

Carried

7.17 OPEN COUNCIL RESOLUTIONS REPORT

Executive Summary

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

There is currently 51 Open Resolutions, with 21 of these relating to Council officer reports, 6 relating to responses to Notices of Motion and 23 relating Notices of Motion.

Officer Recommendation

That Council receives and notes the Open Council Resolutions Report provided as Attachment 1 to this report.

Resolution

Cr Tapinos moved, Cr Conlan seconded -

That Council receives and notes the Open Council Resolutions Report provided as Attachment 1 to this report.

Carried

7.18 GOVERNANCE REPORT - OCTOBER 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:

- Records of Meetings, with a recommendation that Council notes the records.
- Responses to Public Question Time items taken on notice at the 13 September 2023 Council meeting, with a recommendation that Council notes the responses.
- A request seeking Council approval for Cr Riley to attend the Melbourne Urban Agriculture Forum on 21 November 2023.
- The summary of minutes from the Audit and Risk Committee held 5 September 2023.

Officer Recommendation

That Council:

1. Notes the Records of Meetings, at Attachment 1 to this report.
2. Notes responses to questions taken on notice during Public Question Time at the 13 September 2023 Council meeting, at Attachment 2 to this report.
3. Approves the registration of Cr Riley to attend the Melbourne Urban Agriculture Forum at the cost of \$225 (including GST).
4. Notes the summary of minutes from the Audit and Risk Committee meeting held 5 September 2023, at Attachment 3 to this report.

Resolution

Cr Pulford moved, Cr Tapinos seconded -

That Council:

1. **Notes the Records of Meetings, at Attachment 1 to this report.**
2. **Notes responses to questions taken on notice during Public Question Time at the 13 September 2023 Council meeting, at Attachment 2 to this report.**
3. **Approves the registration of Cr Riley to attend the Melbourne Urban Agriculture Forum at the cost of \$225 (including GST).**
4. **Notes the summary of minutes from the Audit and Risk Committee meeting held 5 September 2023, at Attachment 3 to this report.**

Carried

7.19 RFT-2023-468: HOSKEN RESERVE - CIVIL WORKS AND LANDSCAPING TENDER AWARD REPORT

Executive Summary

In October 2021, the Hosken Reserve Masterplan received endorsement, marking a significant milestone in the ongoing development of this community asset. The objective of this Council Report is to engage qualified contractors for the implementation of landscaping and civil works at Hosken Reserve, specifically under the fixed lump-sum contracts detailed in RFT-2023-468: Hosken Reserve – Civil Works and Landscaping.

Following a rigorous evaluation process involving thorough tender evaluation, option analysis, risk appraisals, reference validations, and financial scrutinies, two contractors have emerged as the most fitting candidates for the award of RFT-2023-468: Hosken Reserve – Civil Works and Landscaping. The allocation of tasks to each contractor has been strategically determined based on their respective areas of expertise, in the distinct realms of Civil Works and Landscaping Works.

The proposed timeline for project completion put forth by the two contractors aligns with Council's requirements. Both Prestige Paving Pty Ltd and Commercialscapes Pty Ltd have a commendable track record, and are well resourced in their respective domains of Civil Works and Landscaping Works. Appointing these two contractors is the best option for successful delivery of the Hosken Reserve Masterplan project in terms of cost, capability of the contractors and delivery timeframes.

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

Officer Recommendation

That Council:

1. Authorises the Chief Executive Officer to:
 - a) Make a formal offer to Prestige Paving Pty Ltd (A.C.N. 140 970 912) (Contractor) to award contract RFT-2023-468-A Civil Works (Contract) on the following terms and otherwise subject to and in accordance with paragraph 1(c) of this Resolution for the sum of \$830,000.00 (excluding GST) or \$913,000.00 (including GST).
 - b) Make a formal offer to Commercialscapes Pty Ltd (A.C.N. 607 810 364) (Contractor) to award to the Contractor contract RFT-2023-468-B Landscaping (Contract) on the following terms and otherwise subject to and in accordance with paragraph 1(c) of this Resolution for the sum of \$1,584,742.00 (excluding GST) or \$1,743,216.20 (including GST).
 - c) Negotiate and finalise the terms of the Civil Works Contract and Landscaping Contract between Council and the Contractor(s) provided that:
 - i. the terms specified in paragraph 1(a) and 1(b) of this Resolution shall not be altered without a further Resolution of Council; and
 - ii. other than terms referred to in paragraph 1(a) and 1(b) of this Resolution, the terms of the Civil Works Contract and Landscaping Contract are acceptable to the Chief Executive Officer.
2. Conditional on acceptance of the Civil Works Contract and Landscaping Contract by the Contractor(s) in accordance with the terms of this Resolution:
 - a) Authorises the Chief Executive Officer to do all things necessary to execute the Civil Works Contract and Landscaping Contract and any required documentation for the Civil Works Contract and Landscaping Contract; RFT-2023-468-A and RFT-2023-468-B.

- b) Advises all tenderers of Council's decision in relation to the Civil Works Contract and Landscaping Contract.

Resolution

Cr Davidson moved, Cr Tapinos seconded -

That Council:

- 1. Authorises the Chief Executive Officer to:**
 - a) Make a formal offer to Prestige Paving Pty Ltd (A.C.N. 140 970 912) (Contractor) to award contract RFT-2023-468-A Civil Works (Contract) on the following terms and otherwise subject to and in accordance with paragraph 1(c) of this Resolution for the sum of \$830,000.00 (excluding GST) or \$913,000.00 (including GST).**
 - b) Make a formal offer to Commercialscapes Pty Ltd (A.C.N. 607 810 364) (Contractor) to award to the Contractor contract RFT-2023-468-B Landscaping (Contract) on the following terms and otherwise subject to and in accordance with paragraph 1(c) of this Resolution for the sum of \$1,584,742.00 (excluding GST) or \$1,743,216.20 (including GST).**
 - c) Negotiate and finalise the terms of the Civil Works Contract and Landscaping Contract between Council and the Contractor(s) provided that:**
 - i. the terms specified in paragraph 1(a) and 1(b) of this Resolution shall not be altered without a further Resolution of Council; and**
 - ii. other than terms referred to in paragraph 1(a) and 1(b) of this Resolution, the terms of the Civil Works Contract and Landscaping Contract are acceptable to the Chief Executive Officer.**
- 2. Conditional on acceptance of the Civil Works Contract and Landscaping Contract by the Contractor(s) in accordance with the terms of this Resolution:**
 - a) Authorises the Chief Executive Officer to do all things necessary to execute the Civil Works Contract and Landscaping Contract and any required documentation for the Civil Works Contract and Landscaping Contract; RFT-2023-468-A and RFT-2023-468-B.**
 - b) Advises all tenderers of Council's decision in relation to the Civil Works Contract and Landscaping Contract.**

Carried

7.20 CONTRACT EXTENSION - STATE PURCHASE CONTRACT (SPC-2023458) FOR THE PROVISION OF NATURAL GAS - LARGE SITES

Executive Summary

Merri-bek City Council's current Agreement with Red Energy Pty Ltd (ACN 107 479 372) for the supply of gas for "Large Sites" is through the Victoria State Purchase Contract (SPC). This contract expires on 30 September 2023. The State Government has recently signed a new contract extension to 31 December 2024.

The advantages of utilising the State Government contract are:

- access to buying power ensuring competitive pricing

- Council can opt-in and out of the contract at any time without penalties. The opt out provision is important should Council decommission or remove gas fired boilers from its energy mix and upgrade to electric heat pumps powered by renewable electricity.

When Council approved this contract in June 2019, delegation was given to Executive Manager Finance to exercise the option to extend contracts. As this role no longer exists, further contract extension requires Council approval.

The supply of large market gas is to two Council's sites: Coburg Leisure Centre and Brunswick Baths. Large sites are defined as those sites consuming more than 10,000GJ per year.

Officer Recommendation

That Council:

1. Approves to continue as a contract member of the State Purchase Contract SPC - 2023458, Provision of Gas-Large Sites to 31 December 2024.
2. Authorises the Chief Executive Officer to do all things necessary to execute contracts, exercise the option to extend contracts in accordance with the provisions within the contracts and any other required documentation.
3. Advises the Department of Government Services of Council's decision in this matter.

Resolution

Cr Pulford moved, Cr Riley seconded -

That Council:

1. **Approves to continue as a contract member of the State Purchase Contract SPC - 2023458, Provision of Gas-Large Sites to 31 December 2024.**
2. **Authorises the Chief Executive Officer to do all things necessary to execute contracts, exercise the option to extend contracts in accordance with the provisions within the contracts and any other required documentation.**
3. **Advises the Department of Government Services of Council's decision in this matter.**
4. **Notes Council's current and continued efforts and investment to move its major gas using facilities to electricity, including the current Fawkner Leisure Centre renewal, to help meet carbon neutral targets.**

Carried

7.21 RFT-2023-400 – HARD WASTE COLLECTION SERVICE

Executive Summary

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

This report is for the award of the Hard Waste collection service for the whole of the municipality.

Council's current contract for the hard waste collection service expires on 31 December 2023.

To address these expiring contracts, on 24 June 2023, a request for tender was advertised for Hard Waste Collection for all of the municipality with all tenders closing on 28 July 2023.

Tenderers were asked to provide options for three different service offerings:

Option A – On call (Booked) Hard Waste bookings and collection (fully serviced by contractor, including bookings, mail outs and transportation to resource recovery and/or disposal facilities.)

Option B – On call (Booked) Hard Waste collection (Council to handle bookings, all other services supplied by contractor.)

Option C – Bi-annual Blanket collection, including collection brochure delivery and transportation to disposal facilities.

A tender evaluation panel was established to assess the tenders received. In response to the tender, a total of two tender submissions were received.

This contract involves scheduling and collecting hard waste from residential properties in accordance with Council priorities.

The contractor will:

- Provide a safe and efficient service to the community;
- Provide exceptional customer service to residents, acting as the main interface for Council with respect to all aspects of the service provision;
- Provide guidance and advice to residents with respect to sustainable disposal options;
- Reduce volumes of waste to landfill through best practice resource recovery methods;
- Provide visibility to Council of the Services, including by collecting and maintaining statistics on behalf of Council; and
- Provide general customer service to residents, acting as Council's interface where required.

The current contract is held by WM Waste Management Pty Ltd under contract number 529T and will conclude on 31 December 2023. All extension options for this contract have now been exhausted and a new contract term is required to continue delivering the hard waste collection service to the community.

On December 8, 2021, the Council made a decision to initiate a trial for a pre-booked hard waste collection service in 2022. Subsequently, in May 2022, a contract amendment was approved to allow for a 12-month period of pre-booked collections in 2022/23, which could be compared with the municipal-wide (or blanket) collections conducted in the 2021/22 fiscal year.

During this trial period, properties subject to the waste charge could book up to two collections of 1 cubic metre each or one collection of 2 cubic metres annually. To provide a basis for comparison, the two scheduled collections in 2021/22 allowed for a maximum of 1 cubic metre of hard waste per collection.

The trial's success was gauged through multiple key performance indicators, including the amount of waste sent to landfill, the volume of waste diverted to recycling or reuse streams, the overall cost of the service (inclusive of collection and disposal expenses), and the level of satisfaction within the community. Additionally, the trial analysis accounted for instances where reports of dumped rubbish were mistakenly attributed to pre-booked waste, thus encompassing data on the tonnage of erroneously reported dumped waste as well.

At its 13 September 2023 meeting Council resolved to adopt an ongoing scheduled collection system. In light of this, the tendered Option C (for blanket / municipal wide collections) required no further consideration. Council officers are recommending awarding the contract based on Option A, whereby the contractor will manage the total booked hard waste collection service including the booking and administration component.

Option A was selected over Option B (where Council would be taking bookings) given Council does not have the systems and resources to stand up a booking service at present, and would not be cost-competitive in doing so.

Officer Recommendation

That Council:

1. Authorises the Chief Executive Officer to:
 - a) Make a formal offer to **WM Waste Management Services Pty Ltd ACN 006 368 136 (Contractor)** to award to the Contractor contract **RFT-2023-400** for the Hard Waste (On Call) Collection Service and Optional Blanket Hard Waste Collection Service (**Option A – On call (Booked) Hard Waste collection service (fully serviced by contractor, including bookings, mail outs and transportation to resource recovery and/or disposal facilities.) (Contract)** for the sum of \$4,920,200.00 (ex GST) and the attached schedule of rates (ex GST) for the initial contract term. The contract term is proposed as two (2) years and six (6) months with one (1) additional one year term at the discretion of Council at a total cost of \$6,888,280.00 (ex GST) and the attached schedule of rates (ex GST), on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution:
 - 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;
 - b) Authorises the Chief Executive Officer to exercise the options to extend and vary the Contract in accordance with the provisions within the Contract; and
 - c) Advises all tenderers of Council's decision in relation to the Contract.

Resolution

Cr Pulford moved, Cr Harte seconded -

That Council:

1. **Authorises the Chief Executive Officer to:**
 - a) **Make a formal offer to WM Waste Management Services Pty Ltd ACN 006 368 136 (Contractor) to award to the Contractor contract RFT-2023-400 for the Hard Waste (On Call) Collection Service and Optional Blanket Hard Waste Collection Service (Option A – On call (Booked) Hard Waste collection service (fully serviced by contractor, including bookings, mail outs and transportation to resource recovery and/or disposal facilities.) (Contract) for the sum of \$4,920,200.00 (ex GST) and the attached schedule of rates (ex GST) for the initial contract term. The contract term is proposed as two (2) years and six (6) months with one (1) additional one year term at the discretion of Council at a total cost of \$6,888,280.00 (ex GST) and the attached schedule of rates (ex GST), on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution:**

- 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;**
 - b) **Authorises the Chief Executive Officer to exercise the options to extend and vary the Contract in accordance with the provisions within the Contract; and**
 - c) **Advises all tenderers of Council's decision in relation to the Contract.**

Carried

NOTICES OF MOTION

8.1 OPPOSE PUBLIC HOUSING DEMOLITIONS

Motion

That Council:

1. Strongly opposes the Victorian Government's plans to demolish 44 public housing towers across the state, including 351 Barkly Street, Brunswick.
2. Notes that the plan will lead to the displacement of 116 residents from 351 Barkly Street, Brunswick, uprooting an entire community, their families and livelihoods.
3. Notes that the State Government has an appalling record on public housing redevelopments, which are so disruptive and poorly planned that around 80% of public tenants can't or don't return.
4. Describes this situation for what it really is; the abandonment of public housing by the State Government and the privatisation of public land by stealth.
5. Writes to the Minister for Housing and the Premier Jacinta Allan, opposing the announcement, with the above words included in the letters.
6. Issues a public statement via its website and social media channels, and a media release, opposing the announcement, noting its particular impact on residents of 351 Barkly Street, Brunswick.
7. Updates its advocacy positions to clearly oppose the demolition of public housing in Merri-bek.

Time Extension

Resolution

Cr Panopoulos moved, Cr Conlan seconded -

That the Council meeting be extended by 30 minutes at 10.29 pm.

Carried

Resolution

Cr Conlan moved, Cr Bolton seconded -

That Council:

1. Strongly opposes the Victorian Government's plans to demolish 44 public housing towers across the state, including 351 Barkly Street, Brunswick and sell off of the majority of public housing land at these sites.
2. Notes that the plan will lead to the displacement of 116 residents from 351 Barkly Street, Brunswick, uprooting an entire community, their families and livelihoods.
3. Notes that the State Government has an appalling record on public housing redevelopments, which are so disruptive and poorly planned that around 80% of public tenants can't or don't return.
4. Describes this situation for what it really is; the abandonment of public housing by the State Government and the privatisation of public land by stealth.
5. Writes to the Minister for Housing and the Premier Jacinta Allan, opposing the announcement, with the above words included in the letters, and seek to be informed about:
 - The timeline for when the residents at the public housing tower in Merri-bek at 351 Barkly Street, Brunswick are to be relocated and when the tower is targeted for demolition; and
 - Seeking guarantees from the Minister for Housing, that all of the current tenants of 351 Barkly Street, Brunswick will be allowed to return and that if they are relocated, that they are relocated into public housing, not time-limited private tenancies.
6. Issues a public statement via its website and social media channels, and a media release, opposing the announcement, noting its particular impact on residents of 351 Barkly Street, Brunswick.
7. Updates its advocacy positions to clearly oppose the demolition and privatisation of public housing in Merri-bek.

Carried

Cr Tapinos opposed the motion.

8.2 HOUSING

Motion

That Council:

1. Seeks information from Minister for Planning Sonya Kilkenny on what type of affordable housing a developer can include in order to bypass council, and under what circumstances can the planning minister waive the requirement for a developer to include affordable housing as a condition of bypassing council.

2. Requests information from the Minister for Housing Harriet Shing about the status of public housing across Merri-bek. Information sought should include:
 - information about public housing that is scheduled to be redeveloped, decommissioned or sold off. It is known that public housing in Glenroy is to be decommissioned. What is happening with this housing.
 - whether any public housing redevelopments planned will be for public housing (defined as owned and managed by the state government with the tenants on public housing leases) or community housing or privately owned.
3. Write to the State Government to:
 - Abandon plans to demolish the 44 public housing towers in Melbourne and instead use the Retain Repair and Reinvest model which is being used in France where public housing towers are being renovated without tenants being forced to move out.
 - Cease plans to use the Ground Lease Model to privatise public land that public housing estates are on.
 - Adopt a position that any developments on public housing estates be for public housing exclusively.
4. Writes to the Minister for Housing to build public housing on disused state government sites such as the disused Kangan Batman TAFE sites in Coburg and Coburg North
5. Seeks support from the Municipal Association of Victoria to oppose the demolition of the 44 public housing towers in Melbourne and instead support plans for the Retain, Repair and Reinvest model of refurbishing public housing towers without tenants being required to move out, as occurs in France.

Resolution

Cr Bolton moved, Cr Conlan seconded -

That Council:

1. **Seeks information from Minister for Planning Sonya Kilkenny on what type of affordable housing a developer can include in order to bypass council, and under what circumstances can the planning minister waive the requirement for a developer to include affordable housing as a condition of bypassing council.**
2. **Requests information from the Minister for Housing Harriet Shing about the status of public housing across Merri-bek. Information sought should include:**
 - **Information about public housing that is scheduled to be redeveloped, decommissioned or sold off. It is known that public housing in Glenroy is to be decommissioned. What is happening with this housing.**
 - **Whether any public housing redevelopments planned will be for public housing (defined as owned and managed by the state government with the tenants on public housing leases) or community housing or privately owned.**
3. **Write to the State Government to:**
 - **Abandon plans to demolish the 44 public housing towers in Melbourne and instead use the Retain Repair and Reinvest model which is being used in France where public housing towers are being renovated without tenants being forced to move out.**
 - **Cease plans to use the Ground Lease Model to privatise public land that public housing estates are on.**

- Adopt a position that any developments on public housing estates be for public housing exclusively.
4. Writes to the Minister for Housing to build public housing on disused state government sites such as the disused Kangan Batman TAFE sites in Coburg and Coburg North
 5. Seeks support from the Municipal Association of Victoria to oppose the demolition of the 44 public housing towers in Melbourne and instead support plans for the Retain, Repair and Reinvest model of refurbishing public housing towers without tenants being required to move out, as occurs in France.

Carried

Cr Tapinos abstained from the vote.

MINUTE CONFIRMATION

Motion

That the minutes of the Council Meeting held on 13 September 2023 be confirmed.

Resolution

Cr Tapinos moved, Cr Pavlidis seconded -

That Council defers the confirmation of minutes of the Council Meeting held on 13 September 2023 to the next Council meeting.

Carried

Cr Pavlidis called for a division.

For

Cr Bolton
Cr Davidson
Cr Pavlidis
Cr Conlan
Cr Tapinos
Cr Harte

Total For (6)

Against

Cr Pulford
Cr Panopoulos
Cr Riley

Total Against (3)

NOTICE OF RESCISSION

The order of business was altered and Notice of Rescission 9.1 was considered was considered third after Council Report 7.2.

FORESHADOWED ITEMS

Nil.

URGENT BUSINESS REPORTS

Nil.

The meeting closed at 10.45 pm.