



Merri-bek City Council

Minutes of the Council Meeting

Held at the Council Chamber, Merri-bek Civic Centre,
90 Bell Street, Coburg
on Wednesday 8 November 2023

The Mayor opened the meeting at 7.06 pm and stated the Council meeting is being held on the traditional country of the Wurundjeri Woi Wurrung people and acknowledged them as Traditional Owners. The Mayor paid respects to their Elders, past, present and emerging, and the Elders from other communities who may be here today.

Present	Time In	Time Out
Cr Angelica Panopoulos, Mayor	7.06 pm	10.51 pm
Cr Helen Davidson, Deputy Mayor	7.06 pm	10.51 pm
Cr Adam Pulford	7.06 pm	10.51 pm
Cr Annalivia Carli Hannan	8.40 pm	9.41 pm
Cr Helen Pavlidis	7.06 pm	10.51 pm
Cr James Conlan	7.06 pm	10.51 pm
Cr Lambros Tapinos	7.10 pm	10.51 pm
Cr Mark Riley	7.06 pm	10.51 pm
Cr Monica Harte	7.06 pm	10.51 pm
Cr Oscar Yildiz JP	7.06 pm	10.51 pm
Cr Sue Bolton	7.06 pm	10.51 pm

OFFICERS

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

APOLOGIES/LEAVE OF ABSENCE

Nil.

DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

ALTER THE ORDER OF BUSINESS

Resolution

Cr Panopoulos moved, Cr Riley seconded –

That the order of business be altered and Council considers the following items, after Public Question Time, before returning to the order of items as printed in the agenda:

- 1. Notice of Motion 8.2 War in Gaza**
- 2. Notice of Rescission 9.1 Conclusion of Kent Road Separated Bike Lane Trial and Next Steps for Coburg to Glenroy Bike Route**
- 3. Notice of Rescission 9.2 De Carle Street Bicycle Lanes**
- 4. Confirmation of Minutes of the Council Meeting held 18 October 2023.**

Carried

MINUTE CONFIRMATION

The order of business was altered and Confirmation of Minutes of the Council Meeting 18 October 2023 was considered after Notice of Rescission 9.2 De Carle Street Bicycle Lanes.

ACKNOWLEDGEMENTS AND OTHER MATTERS

Nil.

PETITIONS

5.1 PETITION – UPGRADE FLOODLIGHTING AT RAEburn RESERVE PASCOE VALE (D23/539088)

A petition has been received containing 163 signatures requesting Council upgrade floodlighting at Raeburn Reserve Pascoe Vale.

Resolution

Cr Yildiz moved, Cr Harte seconded -

That Council:

- 1. Receives the petition, requesting Council upgrade floodlighting at Raeburn Reserve Pascoe Vale.**
- 2. Refers the petition requesting Council upgrade floodlighting at Raeburn Reserve Pascoe Vale to the Director Community for consideration and response.**

Carried unanimously

PUBLIC QUESTION TIME

Public Question Time commenced at 7.18 pm.

A summary of questions and the response provided, and items for which community statements were made is provided below.

Report 7.2 Moving Around Merri-bek - Draft Transport Strategy for Consultation

2 questions were received:

1. Cate Hall on behalf of Safer Walking and Riding for Murray Road (SWARM) Working Group, asked a question related to addressing safety concerns on Murray Road, Coburg North, following eight serious crashes reported in the first half of 2023. The question sought information on the Council's collaboration with the community group, Draft Transport Strategy (DTP) and the State government to implement safety improvements, considering community's survey results and the ongoing Murray Road review by the DTP. The question asked was how will Council collaborate with our community group, DTP and State government to bring about much needed safety improvements to Murray Road?

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

Council will continue advocating to the State Government and the Department of Transport and Planning (DTP) to improve safety on Murray Road, which is an arterial road under State Government jurisdiction.

As part of our advocacy, we are undertaking pedestrian and cyclist counts, and vehicle speed and volume profiles, at the intersections of Murray Road and Newlands Road and the pedestrian-operated signal crossing towards the eastern end of the Coburg swimming pool site.

We are also undertaking a broader study on pedestrian crashes on arterial roads to further our advocacy to the State Government for improving road safety, which will include analysis of Murray Road.

We will work closely with DTP on any future review of Murray Road and will continue to advocate for improved pedestrian and cyclist safety outcomes along the corridor.

2. Brent Houghton asked: Can Council update the school on progress on installing a wombat crossing at the entrance to our school, which was first raised with Council by our School Captain Josh Riordan, almost 12 months ago and an urgent motion passed unanimously by Council?

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

Council has engaged contractors for the design of a wombat crossing at the entrance of Coburg High School from Urquhart Street, Coburg. The wombat crossing would allow pedestrians and cyclists priority to cross the road and is a strategic connection between O'Hea Street bicycle path to the Merri-creek Trail.

We expect the designs to be completed in the coming months and will seek feedback from Coburg High School early next year.

Report 7.3 Making it Easier to Walk and Ride in Merri-Bek - Options for Indexation of Per Capita Spending on Active Transport

1 statement was received. Andrea Bunting made the following statement:

Proposal to Index per capita spend on active transport. We support Cr Pulford's June 2023 proposal "Increasing the \$10 per head minimum spend on active transport infrastructure each year in line with inflation." This would be a more satisfactory, fairer and long-term solution to active transport expenditure, compared with the officer recommended one-off increase to \$12 per head.

Expenditure on active transport needs to keep pace with the growth in Council's rates revenue. Council's rate revenue increases each year mainly due to two factors.

- The rate cap – which is tied to inflation
- The growth in the number of properties, which is roughly the same as population growth.

The year, Council rate revenue increased by 4.8%. This was due to the 3.5% rate cap, plus the 1.3% growth in property numbers. We ask that the minimum spend on active transport be increased each year so that it remains the same proportion of Council rate revenue. In 2019, Councillors voted for a minimum spend of \$10 per head on active transport infrastructure. But the population has declined, while Council rate revenue has increased significantly. So active transport minimum spend as a proportion of council rates has dropped. The Officers proposal to increase to \$12 per head takes us back to where we were in 2019. We are playing catch up. To avoid falling behind in future years, please change the formula. Active transport infrastructure needs to be increased by two factors – the same way that Council rate revenue is increased. The two factors are a growth factor (for population or property numbers) and an inflation factor (which could be CPI or the rate cap). Note that rate revenue is also affected by total land value, but these two are the main contributors. Councillors are often identifying particular locations that need expenditure. We have a suggestion tonight for pedestrian lights in Fawkner. These are great ideas, but unless there is sufficient budget, another equally important project will get delayed. Active transport expenditure gives a huge bang for your buck: \$10 benefit for every dollar spent. We are facing a climate crisis, a health crisis, a social connection crisis, a vehicle congestion crisis and a parking crisis. We desperately need more people walking and cycling to help address these crises. Please ensure that expenditure keeps pace with Council rates revenue.

Report 7.4 Rainbow Tick Accreditation - Requirements, Priorities, Phasing, And Costs For Council Services And Programs

1 Statement was received. Sean Mulcahy made the following statement:

My name is Sean Mulcahy and I am speaking on behalf of the Victorian Pride Lobby's Rainbow Local Government campaign in relation to agenda item 7.4 and 8.2.

In relation to agenda item 7.4, we strongly support the recommendation to approve in principle Rainbow Tick accreditation of Council services.

9.9% of Merri-bek residents identify as LGBTIQ+, which amounts to approximately 18,391 residents. Countless more use Council's services and libraries. \$13.50 per LGBTIQ+ resident is a very small price to pay to ensure that Council's services and facilities are inclusive and welcoming. Furthermore, the recommendation simply refers the costs of Rainbow Tick accreditation to the 2024/2025 budget process for consideration and does not lock Council into expenditure.

At the 8 February 2017 meeting, Council advised that "officers have been involved in a number of actions in creating welcoming and accessible environments at Council's Aquatic and Leisure facilities, which include initial discussions and review in relation to becoming accredited with the Rainbow Tick."

When it comes to the item, we would appreciate Councillors asking officers where is Council up to on Rainbow Tick accreditation for its Aquatic and Leisure facilities, and why are its Aquatic and Leisure services not included in this recommendation.

That said, we ask that you support the officer's recommendation.

Report 7.17 Adoption of Council's Governance Rules 2023

1 question was received by Marion Attwater.

This question related to Governance Rule 3.9.12(2) (the rule whereby a Councillor is required to request an extension to speaking times in debate) and asked if the rule is so distasteful to Councillors, why hasn't it ever been proposed to delete rule 3.9.12(2)?

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

We are unaware of any distaste or discomfort for that provision in the Governance Rules. The speaking times proposed in the Governance Rules, and rules relating to the extension of those speaking times are designed to facilitate the orderly conduct of debate during the meeting.

Report 7.18 Year 3 Council Action Plan 2023-24 - First Quarter Performance Report

1 question was received by Marion Attwater.

This question related to the First Quarter Performance Report on the Council Action Plan and level of detail reported about transport related actions, compared to the Annual Budget, and noted discrepancies regarding the Kent Road bike lane trial reporting and errors in the report on the Draft Transport Strategy regarding the recorded resolution, and raised concerns about the effectiveness of the current corporate planning contract awarded in February 2021. The question asked was will Councillors do a review of contract RFT-2020-134, because it is plainly obvious that the level of reporting has diminished?

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

The first quarter performance report aligns with the budget and is one source for updates on progress of Council Action Plan items. Council also provides updates and more information on projects through Conversations Merri-bek; more detailed reporting, including financial reporting, is also provided through relevant Council Reports relating to the topics you have mentioned.

I do acknowledge and apologise for the errors as you mention for report 7.2 in regard to the Draft Transport Strategy, where the resolution of 14 April was not correctly reflected in the Officer's Report.

There is no need to review the contract for the corporate reporting software, as per your suggestion, as this system meets our needs.

Report 7.21 Governance Report - November 2023 - Cyclical Report

Two questions were received, Marion Attwater presented these questions on behalf of Dino Albano.

1. The first question asked if Council was aware of the requirement to register the East Timor Partnership Project as a fundraiser with Consumer Affairs Victoria, and if not, why not?

At the request of the Mayor, Director Community, Eamonn Fennessy responded:

Yes, it is correct that we should have been registered as a fund raiser and as soon we became aware of this we took action to remedy the situation, hence the report to Council this evening.

2. The Council Budget does not mention the East Timor Partnership Project. Can you please advise how much funding has been allocated to this Project in the current Budget and the previous 2 budgets?

At the request of the Mayor, Director Community, Eamonn Fennessy responded:

The 2023/24 Merri-bek budget allocation is \$71,000. Hume City Council allocate a similar amount to the Partnership annually. The budget for this program has not changed substantially in the last 2 years, apart from CPI.

Notice of Motion 8.2 War in Gaza

Council received 6 statements. The following 4 were presented to Council.

1. Jordana Silverstein read their statement.

I speak as someone who has lived in Merri-bek for 17 years, and who is Jewish. My Jewishness is central to who I am, and my Jewishness is built around values like solidarity, justice, and love. It is these values that bring me to want to speak in support of the motion put forward by Cr Sue Bolton.

What Israel is doing right now to Palestine is devastating. I am devastated. Like many of you, I imagine, I have had a permanent headache and nausea for weeks now. The violence is overwhelming, beyond what our English language can deal with. We are – I hope – all seeing the images and stories that are coming out of Gaza. But not only Gaza, from across the West Bank and from what is called Israel or the middle section of Palestine. And so the question becomes, what can we do about it? What, over here in Merri-bek, can be helpful, be useful, to Palestinians everywhere?

All levels of Government have stood against oppression of Israelis. How do we ensure that we, as people, are also standing equally against the oppression of Palestinians?

How do we say to Palestinians in our community that we support them and have their backs, and will advocate with all our beings alongside them for a ceasefire, and then for the substantial peace and freedom that must come after.

How do we say to Palestinians in Gaza and elsewhere in Palestine that we support them, that we have not forgotten them, that we also share the horror of what is happening to civilians, and that we will continue to do whatever we can. There are many ways in which we can say this: in our words, by repeatedly and loudly telling the truth about what is happening, by recognising the losses and devastations that Palestinians everywhere are experiencing. By accurately using terms like genocide and war crimes and correctly identifying the length of the problem, that it did not begin on October 7th. And we must also use all other tools at our disposal: raising the Palestinian flag tells Palestinians that we know that this is a flag of justice and anti-racism and solidarity, and that we are proud to be alongside Palestinians. Seeing it flying will make all of us safer. Participating in the BDS campaign, which is a civil society led campaign with incredibly broad – almost universal – support from Palestinians, is a step we can collectively take to try to place financial pressure on the businesses which profit from Israeli-led war. And writing to the government demonstrates to them that Merri-bek supports Palestinian rights, supports a ceasefire, supports the lifting of the 16 year-long siege.

Gaza is starving, it is being decimated, and it is Israel who is responsible for these actions. We must together stand up and say that this is not ok. And so these are the bare minimum of things that we collectively can do. As a committed Jew, as a resident of Merri-bek, I ask you all to support this motion.

2. Kathrin Wheib read their statement.

Hello, thank you for this opportunity to share my thoughts and feelings with you all tonight. I am a Palestinian Australian and I've lived in Brunswick for the last 6 years with my partner and two young children. I feel so lucky to be part of our open minded and compassionate community.

Tonight I'd like to share with you my personal feelings about being a Palestinian Australian over the last few weeks.

So. How am I feeling?

I feel abandoned & alone. I feel abandoned by the Australian government. Through its inaction and complicity with Israel, the Australian government is telling us that Palestinian lives don't matter, that international laws don't apply to us.

It is clear that Israel is committing a genocide against my people. Israel is violating countless international laws and thousands of civilians and children are dying. I don't need to state the numbers or facts, it is on our screens for all to see.

And yet our government is choosing to stand by Israel no matter what it does. They chose to abstain from a UN resolution calling for an immediate humanitarian truce in Gaza. They chose to light up public buildings in white and blue for 1400 Israeli lives but won't do the same for 10,000 Palestinian lives.

I feel fear. Fear for the lives of people in Palestine, especially in Gaza. Fear for the future. Fear of losing my faith in humanity. Fear of wearing my keffiyeh that I might be abused or vilified.

I feel helpless. To help my people back home. To convince the Australian government that Palestinian lives matter.

I feel guilty. For having all these feelings when people in Palestine are going through such horrors while I live in safety unable to help them. Guilty for every drop of water that goes down the shower drain. Guilty when I tuck my children into their safe beds for the night.

I feel solidarity. With the local Palestinian community who have come together at this time to support one another. With all the people who show up at the rallies. With the Jewish people who say "not in my name" And with Indigenous Australians who have always stood with Palestinians in our resistance, and who continue to do so selflessly, even whilst grieving the racist No vote.

Sovereignty has never been ceded.

I feel hurt. Hurt by the vilification of my people in the media, by companies such as Meta and WhatsApp and by the police. The inference that Palestinians are by their nature violent and barbaric. That we are all terrorists.

Case in point: tonight in Coburg, police have obtained special powers, for this designated area, to allow them to search people and vehicles for weapons. For a council meeting where a motion is being put forward asking for PEACE!

I feel rage. Rage at the injustice taking place, conflated by the fact that our government thinks this is acceptable? That this is ok? That the slaughter of thousands of civilians is justified? That this constitutes self defence? The moral depravity of this thinking enrages me.

I feel so much rage at Australia's and the western world's hypocrisy and inaction that I'm not left much space for grief and pain.

I shouldn't have to constantly argue for and prove my humanity. What we are asking for are equal rights, the right to live free from violent oppression and occupation. Right now we are simply asking for the right to live.

What would it mean to me if this motion was passed? I would feel seen, heard and valued in my own community which is so important

3. Zain Elakloun read their statement.

My name is Zain from Coburg and I'm here to express my support for motion 8.2.

Mayor and Councillors, I've just come from work. I'm a public servant – like you – I work in the climate change space and the values that drive me to do my job are the same values that bring me here today. I'm a Palestinian from the Gaza Strip. My dad's side is from there while my mother's side were pushed there after being displaced by Zionist militias. It would take me more time than I've got allocated to explain how I've come to be resident here and call it my second home. But all this is to say, I have a deep connection to what's happening in Gaza.

Mayor and Councillors, over the last month, I've been deep state of grief and mourning that words fail to capture. I'm falling behind both at work and at uni. I can't even have a laugh without feeling guilty. I want you to think for a moment what it's like to see a genocidal assault on your people – your family. To see them displaced and massacred in their home land, yet again by the Israeli settler colony. And yet again, Israel has the support of our media and most of our elected representatives - leaving us feeling dehumanised and alienated. I can't help but wonder: What more does Israel have to do to deserve condemnation? How many more Palestinians have to be slaughtered for the world's sympathy? How different would the narrative be if we were white?

The residents of Merri-bek are tired of hearing the same talking points about issues at both sides, about condemning Hamas, or about how this is a complicated issue. Mayor and Councillors, it's not complicated. It's actually very simple:

Israel holds side holds significant power.

It has been acting on another population with totally impunity for over 75 years.

And it's been credibly accused of crimes against humanity. And yet it is never held to account.

Taking a stance through this motion isn't being biased. Being unbiased doesn't mean pretending both sides are equal and valid. It means basing your opinion on the facts. Even if the facts demonstrate one side is utterly reprehensible. That's why I don't think this motion should be controversial. All it does is recognise the situation, condemn those responsible, and calls on our government to support a political solution. It also offers a symbolical gesture of solidarity through raising the Palestinian flag – reminding us that, even if our government doesn't recognise our humanity, our community does.

As we speak there is a global, multi-racial, multi-faith popular movement for justice in solidarity with Palestine. Mayor and Councillors, I hope you find the courage and compassion to do what's morally right and join this movement and pass this resolution. Thank you for your time.

Time Extension

Resolution

Cr Conlan moved, Cr Riley seconded -

That Public Question Time be extended by 30 minutes at 7.50 pm.

Carried

4. David Glanz read their statement.

I am speaking in support of Notice of Motion 8.2 in relation to the war on Gaza.

I am a resident of Merri-bek and have been a ratepayer for some 34 years. I support the motion as a Jew who is disgusted and ashamed of the barbaric onslaught by Israel on the people of Gaza. The massacre of children and women, the bombing of hospitals, homes and places of worship are a crime against humanity.

I wish to say it loud and clear: they are not happening in my name.

There is a worldwide movement demanding that Israel stops the bombing, withdraws from Gaza, restores basic services and abandon its apartheid policies. I would be proud, as a Jewish resident, to see my council support this movement and to see the Palestinian flag flying on council properties.

Non-agenda items: Questions and Statements

- **Public Questions Taken on Notice**

Council received 2 further questions that were taken on notice as follows relating to:

- Obtaining vacant property owner details for fencing matters.
- Providing rates notices in an accessible format.

- **Other Statements received**

Council received 1 statement of gratitude to Council officers for addressing community concerns about proposed fence construction at the Brunswick Zebras soccer ground.

Public Question Time concluded at 7.53 pm.

COUNCIL REPORTS

8.2 NOTICE OF MOTION - WAR IN GAZA

Motion

That Council:

1. Mourns the tragic and horrific loss of civilian lives in the current conflict and condemns all attacks that target civilians.
2. Recognises that the constant bombing and the total siege of Gaza is traumatising for many Merri-bek residents who have relatives in the region or have come from war-torn countries. We express our solidarity with these communities.
3. Notes that the current conflict did not begin on 7 October 2023 – it began with the Occupation of Palestine, and the forced displacement of millions of Palestinians from their homelands as a result.

4. Condemns the words of senior Israeli politicians and military officials that seek to dehumanise Palestinians in Gaza to justify their war crimes. For example:
 - On 8 October 2023, Nissim Vaturi, member of the Knesset for the far right and governing coalition party, Likud, called for “erasing the Gaza Strip from the face of the earth. Those who are unable will be replaced.”
 - On 9 October 2023, Israeli Defence Minister, Yoav Gallant, stated: “We are imposing a complete siege on [Gaza]. No electricity, no food, no water, no fuel – everything is closed. We are fighting human animals, and we act accordingly”.
5. Notes that many global organisations and institutions, including Amnesty International, United Nations Special Rapporteurs, and the UN’s Independent International Commission of Inquiry on Occupied Palestinian Territory, have documented systematic evidence of war crimes committed by Israel and its army against Palestinians, including:
 - a) sustained bombing of residential neighbourhoods
 - b) the bombing of schools, health facilities, mosques and churches where civilians are sheltering
 - c) the use of white phosphorous (a chemical weapon which burns the skin)
 - d) the denial of food, water, fuel, electricity, internet, and medical supplies to the people of Gaza.
6. Notes that 800 scholars of international law, conflict studies, Holocaust and Genocide Studies declared in a public statement on 15 October:

“We are compelled to sound the alarm about the possibility of the crime of genocide being perpetrated by Israeli forces against Palestinians in the Gaza Strip.”
7. Writes to the Prime Minister and Foreign Minister calling on the Australian government to:
 - a) Strongly condemn the war crimes being carried out by Israel against the Palestinians in Gaza.
 - b) Call for an immediate ceasefire and end to Israel’s indiscriminate bombing.
 - c) Call for the immediate lifting of the siege on Gaza to allow Palestinians in Gaza to have unlimited access to food, water, fuel, electricity, medical supplies and construction materials to repair damaged homes and civilian infrastructure.
 - d) Advocate for all Palestinian and Israeli hostages to be released.
 - e) Advocate for a political resolution to the decades-long conflict which includes an end to Israel’s illegal Occupation of Palestine in order for there to be a just and sustainable peace.
 - f) End all military, economic, political and diplomatic ties with the state of Israel until it complies with its obligations under international law.
8. Notes that boycotts, divestment and sanctions are legitimate, non-violent tactics used by individuals and organisations to pressure foreign governments over human rights abuses and war crimes, including Israel’s brutal and illegal colonisation of Palestine.
9. Receives a report to explore options for council to cancel contracts with companies that support Israel’s illegal occupation of Palestine or profit from it, especially companies which supply equipment to the Israeli Defence Force.

10. Amends the Community Flag Schedule outlined in Council's Civic Flags Policy by raising the Palestinian flag at Council's Coburg Civic Centre and Brunswick Town Hall until a cease fire is declared in Gaza.

Resolution

Cr Bolton moved, Cr Conlan seconded -

That Council:

1. **Mourns the tragic and horrific loss of civilian lives in the current conflict and condemns all attacks that target civilians.**
2. **Recognises that the constant bombing and the total siege of Gaza is traumatising for many Merri-bek residents who have relatives in the region or have come from war-torn countries. We express our solidarity with these communities.**
3. **Notes that the current conflict did not begin on 7 October 2023 – it began with the Occupation of Palestine, and the forced displacement of millions of Palestinians from their homelands as a result.**
4. **Condemns the words of senior Israeli politicians and military officials that seek to dehumanise Palestinians in Gaza to justify their war crimes. For example,**
 - **On 8 October 2023, Nissim Vaturi, member of the Knesset for the far right and governing coalition party, Likud, called for “erasing the Gaza Strip from the face of the earth. Those who are unable will be replaced.”**
 - **On 9 October 2023, Israeli Defence Minister, Yoav Gallant, stated: “We are imposing a complete siege on [Gaza]. No electricity, no food, no water, no fuel – everything is closed. We are fighting human animals, and we act accordingly”.**
5. **Notes that many global organisations and institutions, including Amnesty International, United Nations Special Rapporteurs, and the UN's Independent International Commission of Inquiry on Occupied Palestinian Territory, have documented systematic evidence of war crimes committed by Israel and its army against Palestinians, including:**
 - a) **sustained bombing of residential neighbourhoods**
 - b) **the bombing of schools, health facilities, mosques and churches where civilians are sheltering**
 - c) **the use of white phosphorous (a chemical weapon which burns the skin)**
 - d) **the denial of food, water, fuel, electricity, internet, and medical supplies to the people of Gaza.**
6. **Notes that 800 scholars of international law, conflict studies, Holocaust and Genocide Studies declared in a public statement on 15 October:**

“We are compelled to sound the alarm about the possibility of the crime of genocide being perpetrated by Israeli forces against Palestinians in the Gaza Strip.”
7. **Writes to the Prime Minister and Foreign Minister calling on the Australian government to:**
 - a) **Strongly condemn the war crimes being carried out by Israel against the Palestinians in Gaza.**

- b) **Call for an immediate ceasefire and end to Israel’s indiscriminate bombing.**
 - c) **Call for the immediate lifting of the siege on Gaza to allow Palestinians in Gaza to have unlimited access to food, water, fuel, electricity, medical supplies and construction materials to repair damaged homes and civilian infrastructure.**
 - d) **Advocate for all Palestinian and Israeli hostages to be released.**
 - e) **Advocate for a political resolution to the decades-long conflict which includes an end to Israel’s illegal Occupation of Palestine in order for there to be a just and sustainable peace.**
 - f) **End all military, economic, political and diplomatic ties with the state of Israel until it complies with its obligations under international law.**
8. **Notes that boycotts, divestment and sanctions are legitimate, non-violent tactics used by individuals and organisations to pressure foreign governments over human rights abuses and war crimes, including Israel’s brutal and illegal colonisation of Palestine.**
9. **Receives a report to explore options for council to cancel contracts with companies that support Israel’s illegal occupation of Palestine or profit from it, especially companies which supply equipment to the Israeli Defence Force.**
10. **Amends the Community Flag Schedule outlined in Council’s Flags Policy by raising the Palestinian flag on the fourth flag pole at Council’s Coburg Civic Centre for six months in recognition of the specific situation of a genocide being carried out against the Palestinians in Gaza. That this decision be communicated to the communities who were expecting their flags to be flown on other dates. After six months the decision will be reviewed by Council.**
11. **As a diverse, multi-cultural, and multi-faith community, Merri-bek City Council deplores and actively stands against all forms of racism, including Islamophobia and Anti-Semitism.**

7.54 pm *Cr Pulford left the meeting.*
 7.55 pm *Cr Pulford returned to the meeting.*
 8.07 pm *Cr Tapinos left the meeting.*
 8.17 pm *Cr Pavlidis left the meeting.*
 8.17 pm *Cr Pavlidis returned to the meeting.*
 8.25 pm *Cr Tapinos returned to the meeting.*

Carried

Cr Conlan called for a division.

For

Cr Bolton
 Cr Pulford
 Cr Panopoulos
 Cr Conlan
 Cr Riley
 Cr Harte

Total For (6)

Against

Cr Davidson
 Cr Yildiz
 Cr Pavlidis
 Cr Tapinos

Total Against (4)

Meeting Adjournment

Resolution

Cr Panopoulos moved, Cr Riley seconded -

That the meeting be adjourned for 5 minutes.

Carried

The meeting was adjourned at 8.28 pm.

The meeting resumed at 8.39 pm without Cr Tapinos.

8.40 pm Cr Carli Hannan entered the meeting.

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

At the Council meeting held on 13 October 2023, Item 9.1 *Conclusion of Kent Road Separated Bike Lane Trial and Next Steps for Coburg to Glenroy Bike Route* was adopted.

Cr Pavlidis has given notice to rescind the motion.

Motion

That Council rescinds the resolution related to Item 9.1 *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 October 2023.

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.*

Resolution

Cr Pavlidis moved, Cr Yildiz seconded -

That Council rescinds the resolution related to Item 9.1 *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 October 2023.

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.**

8.43 pm Cr Tapinos returned to the meeting.

Carried

Cr Pavlidis called for a division.

For

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

Total For (6)

Against

Cr Bolton
 Cr Pulford
 Cr Panopoulos
 Cr Conlan
 Cr Riley

Total Against (5)

CONCLUSION OF KENT ROAD SEPARATED BIKE LANE TRIAL AND NEXT STEPS FOR COBURG TO GLENROY BIKE ROUTE

Resolution

Cr Pavlidis moved, Cr Yildiz seconded –

That Council:

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 noting that officers will endeavour to achieve this before the end of March 2024.**
3. **Approves consultation with the community in early 2024 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 of item 7.1 of the 13 September 2023 Council Meeting.**
 - 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. As part of the above consultation, invites community feedback on the alternative routes 1, 2, 3 and 4 considered and shown in Figure 4 Glenroy to Coburg Bike Route Alternative Options at item 7.1 of the 13 September 2023 Council Meeting report.
 5. As part of the above consultation, Council engages and collaborates with, and advocates to State Government, including elected representatives for Pascoe Vale, on design and funding options for safe cycling routes, both on and off road for Kent Rd Corridor and Glenroy to Coburg cycling link.
 6. Receives a report on or before May 2024 documenting the community feedback on the proposed Pascoe Vale Shimmy route and treatments along Kent Road outlined in point 3 above and feedback on alternative routes 1, 2, 3 and 4 outlined in point 4 above, with recommendations on next steps.
 7. 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

Cr Panopoulos called for a division.

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

9.2 NOTICE OF RESCISSION - DE CARLE STREET BICYCLE LANES

At the Council meeting held on 13 October 2023, 7.2 *De Carle Street Bicycle Lanes* was adopted.

Cr Pavlidis has given notice to rescind the motion.

Motion

That Council rescinds the resolution related to item 7.2 *De Carle Street Bicycle Lanes* adopted at the Council meeting held on 13 October 2023.

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.*

Resolution

Cr Pavlidis moved, Cr Yildiz seconded -

That Council rescinds the resolution related to 7.2 *De Carle Street Bicycle Lanes* adopted at the Council meeting held on 13 October 2023.

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.***

9.12 pm Cr Riley left the meeting.

9.12 pm Cr Riley returned to the meeting.

Carried

Cr Panopoulos called for a division.

For

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

Total For (6)

Against

Cr Bolton
Cr Pulford
Cr Panopoulos
Cr Conlan
Cr Riley

Total Against (5)

DE CARLE STREET BICYCLE LANES

Motion

Cr Pavlidis moved, Cr Carli Hannan seconded -

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 of Report 7.2 – De Carle Street Bicycle Lanes - 18 October 2023 Council Meeting.
3. Monitor the traffic volumes in De Carle Street for a period of 12 months and if the daily traffic volumes in De Carle Street do not fall below 1500 vehicles per day investigate further options including a report back to Council seeking approval to start the process for possible road closure.
4. That further investigation of speed reduction treatments be conducted as an alternative to road cushions.

9.37 pm Cr Carli Hannan left the meeting.

9.38 pm Cr Carli Hannan returned to the meeting.

Lost

Cr Panopoulos called for a division.

For	Against	Abstain
Cr Yildiz	Cr Bolton	Cr Harte
Cr Pavlidis	Cr Pulford	
Cr Carli Hannan	Cr Panopoulos	
Cr Tapinos	Cr Conlan	
	Cr Davidson	
	Cr Riley	
Total For (4)	Total For (6)	Total Abstain (1)

9.41 pm Cr Carli Hannan left the meeting and did not return.

Resolution

Cr Pulford moved, Cr Conlan 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

Cr Panopoulos called for a division.

For	Against	Abstain
Cr Bolton	Cr Yildiz	Cr Harte
Cr Davidson	Cr Pavlidis	
Cr Pulford	Cr Tapinos	
Cr Panopoulos		
Cr Conlan		
Cr Riley		
Total For (6)	Total Against (3)	Total Abstain (1)

MINUTE CONFIRMATION

Resolution

Cr Panopoulos moved, Cr Bolton seconded -

That Council, having resolved a position on rescission motions relating to ‘De Carle Street Bicycle Lanes’ and ‘Kent Road Separated Bike Lane Trial and Next Steps for Coburg to Glenroy Bike Route’ (at the Council meeting held on 8 November 2023), confirm the minutes of the Council Meeting held 18 October 2023, subject to the following amendments:

1. Under Item 7.2 De Carle Street Bicycle Lanes (Page 10)

Replace existing notation to reinstate and include the recorded proceedings as follows:

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.

2. **Under Item “Conclusion of Kent Road Separated Bike Lane Trial And Next Steps for Coburg to Glenroy Bike Route (Report 7.1, 13 September 2023) (Page 12)**

Replace existing notation to reinstate and include the recorded proceedings as follows:

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.

9.45 pm Cr Tapinos left the meeting.
9.47 pm Cr Tapinos returned to the meeting.

Carried

Cr Pavlidis called for a division.

For	Against	Abstained
Cr Davidson	Cr Bolton	Cr Tapinos
Cr Yildiz	Cr Pavlidis	
Cr Pulford	Cr Harte	
Cr Panopoulos		
Cr Conlan		
Cr Riley		
Total For (6)	Total Against (3)	Total Abstained (1)

COUNCIL REPORTS

7.1 CONFIRMATION OF MINUTES - 13 SEPTEMBER 2023 COUNCIL MEETING

Executive Summary

At its meeting of 18 October 2023, Council resolved to defer the confirmation of the minutes of the 13 September Council meeting because the minutes as previously circulated did not contain the outcomes of its deliberations in relation to item 7.1 - Conclusion of Kent Road Separated Bike Lane Trial and next steps for Coburg to Glenroy bike route.

The outcomes relating to Item 7.1 were removed from the proposed minutes to ensure that it could not be deemed under Council's Governance Rules, that this item had been actioned by officers following the receipt of the Notice of Rescission.

As the Notice of Rescission has now been determined by Council, this report recommends that Council confirm the proposed minutes for the 13 September Council meeting, provided as **Attachment 1** to this report.

Officer Recommendation

That Council confirms the minutes of the Council Meeting held on 13 September 2023, provided as Attachment 1, to this report.

Resolution

Cr Davidson moved, Cr Conlan seconded -

That Council confirms the minutes of the Council Meeting held on 13 September 2023, provided as Attachment 1, to this report.

9.49 pm Cr Pulford left the meeting before the vote on the item.

Carried

Cr Pavlidis called for a division.

For	Against	Abstain
Cr Davidson	Cr Bolton	Cr Yildiz
Cr Tapinos	Cr Pavlidis	
Cr Panopoulos	Cr Harte	
Cr Conlan		
Cr Riley		
Total For (5)	Total Against (3)	Total Abstain (1)

7.2 MOVING AROUND MERRI-BEK - DRAFT TRANSPORT STRATEGY FOR CONSULTATION

Executive Summary

Moving Around Merri-bek was developed in response to the Council decision in April 2021 to undertake further work to fully revise the Moreland Integrated Transport Strategy (MITS) 2019. Developments in transport policy, travel patterns and behaviour, have also changed since the adoption of MITS 2019 and there is an opportunity to consider these issues and opportunities through the strategy review. These changes include shifts in work patterns due to the COVID-19 pandemic, innovations in electric vehicles, e-bikes, and shared transport services, as well as an increasing need to reduce transport emissions.

The Draft Transport Strategy, *Moving Around Merri-bek*, is laid out in three sections. The first section sets out the proposed vision and six values. These values guide the way Council manages and make changes to our transport system. They are: safe, accessible, sustainable, liveable, healthy, and inclusive. Each value includes a description of that value and translates it to transport objectives.

The second section is the Transport System. This is an adaptation from the framework outlined in the *Transport Integration Act 2010*. It has been adapted to better fit the local government context. The Transport System consists of distinct transport network layers that integrate to enable people to move around the city and to meet their daily transport needs. The objectives and actions related to this section will be informed and guided by the vision and values of the strategy.

The transport network layers include: pedestrian, cycling, public transport (trains, trams, and buses), driving (including parking and freight), and land-use. Each section details the planned approach for supporting the functions of that mode as well as the actions proposed to achieve the relevant objectives.

The third section is titled 'Streets for People'. It outlines a new approach for selecting, analysing, designing, and delivering streetscape improvements across the transport system. The intention is to approach transport capital works projects in a more holistic way that considers improvements to all modes of transport, urban design, and the natural environment. Council will develop and refine our Streets for People design approach using the existing street improvement projects that are confirmed in the 2024/25 Capital Works Program, such as Victoria Street, Harding and Munro Streets and Albert Street that were referred to the 2024/25 Budget process at the Council Meeting on 18 October 2023, for Making it Safer and Easier to Walk and Ride in Merri-bek.

An Action Plan accompanies *Moving Around Merri-bek* as a separate but linked document. The Action Plan outlines practical actions in the immediate term (2024/25) and foreshadows actions beyond that year (2025+) to apply the values and achieve objectives outlined in the strategy. The Action Plan follows the same heading structure as the strategy. It has been designed this way so the community can easily read and compare the two documents.

Officer Recommendation

That Council:

1. Endorses the Draft Transport Strategy *Moving Around Merri-bek* (Attachment 1) and associated Action Plan (Attachment 2) for public exhibition for 5 weeks from Monday 13 November until Sunday 17 December 2023.
2. Notes the Draft Community Engagement Report detailing the methodology and findings of community engagement on the *Moving Around Merri-bek* Discussion Paper (Attachment 3).
3. Appoints Councillor _____ as Chair, and Councillors _____, _____, and _____ to a Committee to hear any submitters requesting to be heard in support of their written submission in relation to the Draft Transport Strategy *Moving Around Merri-bek* on Tuesday 30 January 2024 at 6pm, at the Coburg Civic Centre.
4. Receives a further report at the March 2024 Council meeting with a final version of *Moving Around Merri-bek* Strategy and associated Action Plan that demonstrates feedback received in terms of quantity, source and themes of feedback from the consultation survey, any written submissions received and from the Hearing of Submissions and how this feedback has influenced the final version of *Moving Around Merri-bek*.

Resolution

Cr Conlan moved, Cr Bolton seconded -

That Council:

1. **Endorses the Draft Transport Strategy *Moving Around Merri-bek* (Attachment 1) and associated Action Plan (Attachment 2) for public exhibition for 5 weeks from Monday 13 November until Sunday 17 December 2023.**
2. **Notes the Draft Community Engagement Report detailing the methodology and findings of community engagement on the *Moving Around Merri-bek* Discussion Paper (Attachment 3).**
3. **Appoints Councillor Pavlidis as Chair, and Councillors Pulford, Tapinos and Panopoulos to a Committee to hear any submitters requesting to be heard in support of their written submission in relation to the Draft Transport Strategy *Moving Around Merri-bek* on Tuesday 30 January 2024 at 6pm, at the Coburg Civic Centre.**

4. **Receives a further report at the March 2024 Council meeting with a final version of Moving Around Merri-bek Strategy and associated Action Plan that demonstrates feedback received in terms of quantity, source and themes of feedback from the consultation survey, any written submissions received and from the Hearing of Submissions and how this feedback has influenced the final version of Moving Around Merri-bek.**

9.51 pm *Cr Pulford returned to the meeting before the vote on the item.*

Carried

Time Extension

Resolution

Cr Conlan moved, Cr Pavlidis seconded -

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

Carried

7.3 MAKING IT EASIER TO WALK AND RIDE IN MERRI-BEK - OPTIONS FOR INDEXATION OF PER CAPITA SPENDING ON ACTIVE TRANSPORT

Executive Summary

This report responds to the Resolution of Council on 20 June 2023 for a report on indexing the \$10 per capita spend on active transport infrastructure to inflation.

The report canvases various options for establishing an index and the pros and cons of these. For any scenario, there are a wide range of assumptions that need to be made in setting and testing an index. Options considered are:

- inflation as an index (which needs to be forecast and which can be highly variable)
- an index of 1 per cent per annum, which applies to other parts of recurrent capital spending (which produces a moderate increase in minimum spend)
- an index of the rate increase (which is nominated in time to be accounted for in a coming budget year)

These options all feature a 'multiplier effect' with both population growth and an index on the per capita spend. Population growth is forecast at a little over 1 per cent p.a. at present.

A further option is to remove the 'per capita' component of the indexing and adopt the rate increase instead, applying this to the \$10 per capita figure applying in 2023/24. The basic assumption for a rate increase is 2 per cent pa.

Another variable for these options is the impact of a changing 'base year' for indexing – a base year of 2019/20 produces much higher indexation over the next 5 years than a base year of 2023/24.

The actual spend in the 5-year Capital Works Program is already higher than many of the resulting indices and if the Option 2 from the accelerated program of active transport spending is adopted in the 2024/25 budget then it would exceed all scenarios over the next 5 years.

The report recommends the simple approach of a one-off increase to \$12 per capita of spending on active transport infrastructure, as a middle ground of the scenarios contemplated, to guard against unintended consequences of externally imposed variables impacting future inflation and unknown rates increases.

Officer Recommendation

That Council refers to the 2024/25 Budget process the adoption of a simple increase in the per capita spend of rates funding on active transport infrastructure to \$12 per head, to operate as a minimum spend, from 2024/25.

Resolution

Cr Conlan moved, Cr Pulford seconded -

That Council refers to the 2024/25 Budget process the adoption of increase in the per capita spend of rates funding on active transport infrastructure to \$12 per head and then increase the spending by the rate cap each year.

9.57 pm *Cr Yildiz left the meeting before the vote on the item.*

Carried

7.4 RAINBOW TICK ACCREDITATION - REQUIREMENTS, PRIORITIES, PHASING, AND COSTS FOR COUNCIL SERVICES AND PROGRAMS

Executive Summary

The Rainbow Tick accreditation is widely recognised as one of the most impactful ways to measure and demonstrate LGBTIQ+ inclusion in organisational practices and service delivery. This report outlines that Rainbow Tick accreditation is an ambitious process that has the potential to have the most impact when implemented as part of an overall plan for change within the Council which works in partnership with the community and other organisations.

Based on benchmarking with other councils and internal assessment the following Merri-bek Councils services should be considered to prepare for and receive Rainbow Tick accreditation: Aged and Community Support, Library Services, Youth Services, Maternal and Child Health and Preschool Field Support Team.

To successfully achieve Rainbow Tick accreditation additional operating and staff resourcing totalling \$248,332 is recommended to be referred to the 2024/25 budget process for Council's consideration. This includes:

1. Specialist staff resources to effectively drive Rainbow Tick readiness at a cost of \$91,666 per year for 2 years totalling \$183,332.
2. Three-year accreditation costs and fees of approximately \$45,000.
3. External expertise to assist the Rainbow Tick Steering group will cost \$20,000 in the 2024/25 financial year only.

Benchmarking shows that the Council should allow at least 18 months to conduct gap analysis, consult with communities, introduce measures that address gaps and allow at least 6 months to fully implement new strategies before the accreditation is invited to undertake the assessment.

Once the Council receives the accreditation, a mid-cycle review process is conducted every 18 months and every 3 years a full re-accreditation is required. Accreditation beyond the initial 2 years will require consideration of further budget and officer resourcing in line with the 2026/27 Budget process.

Officer Recommendation

That Council:

1. Notes the requirements, phasing and required resources necessary to achieve Rainbow Tick accreditation.
2. Approves in principle the preparation and application for Rainbow Tick accreditation for the following services, subject to the 2024/25 budget process: Aged and Community Support, Library Services, Youth Services, Maternal and Child Health, and Preschool Field Officer program.
3. Refers costs of \$248,332 to support the required preparation for Rainbow Tick accreditation to the 2024/2025 budget process for consideration.

Resolution

Cr Pulford moved, Cr Tapinos seconded -

That Council:

1. **Notes the requirements, phasing and required resources necessary to achieve Rainbow Tick accreditation.**
2. **Refers \$250,000 to the 2024/2025 budget process for consideration of either:**
 - a) **Rainbow Tick Accreditation; or**
 - b) **to support implementation of the 2023-2026 Merri-bek LGBTIQA+ Action Plan, including activities such as developing a range of events, arts and festivals that celebrate and promote LGBTIQA+ communities and inclusion, community learning and education programs and further improvements to Council services to support LGBTIQA+ community inclusion across all life stages.**
3. **Actively seeks input from the LGBTIQA+ Reference Group to inform budget considerations and expenditure.**

Carried

Cr Davidson abstained from voting.

7.5 CHILDREN, YOUNG PEOPLE AND FAMILIES PLAN 2021-2025 - IMPLEMENTATION OF YEAR 2 ACTIONS

Executive Summary

The Children, Young People and Families Plan 2021-2025 (the Plan) aims to improve health, wellbeing and educational outcomes for children, young people and families with a vision of 'a community where children, young people and families are healthy, resilient, empowered, safe and belong'. The Plan's associated Implementation Plan 2022-2025 details the actions and activities that will be undertaken in each of the Plan's three outcome areas of Inclusive City and Community, Improved Health and Wellbeing, and Lifelong Learning and Participation.

To fulfil the vision of the Plan, Council has continued to collaborate with community, partner organisations and the State Government to achieve the implementation of year 2 actions.

The annual review of the Plan has highlighted the range of activities that have been completed and the challenges that present to implement the Early Years Infrastructure Program and respond to the emerging needs of children, young people and families in a

post-pandemic environment. The annual review has identified the Plan's achievements in Year 2 which are outlined in detail at Attachment 1.

Officer Recommendation

That Council notes the Children, Young People and Families Plan annual review and implementation of Year 2 actions.

Resolution

Cr Riley moved, Cr Pulford seconded -

That Council notes the Children, Young People and Families Plan annual review and implementation of Year 2 actions.

Carried

7.6 SPORTSGROUNDS SURFACE STUDY

Executive Summary

The draft Sportsgrounds Surface Policy outlines Council's approach to the management of our sportsgrounds and gives consideration to the triple bottom line principles of environmental, social and financial sustainability. In August 2023 Council endorsed release of the Draft Policy for consultation, expanding its application to other synthetic playing surfaces such as lawn bowls, tennis and hockey.

The Policy was open for public exhibition during August and September 2023. The community was invited to provide feedback on all aspects of the Policy. A report is attached summarising community feedback and how this has been considered in formulating the revised Policy recommended in this report. Council received minimal feedback with some statements and constructive feedback provided

The feedback provided has been included in the revised Policy. These changes include:

- addition of text making the decision-making process transparent for tailored upgrades and management practices;
- amending the decision-making framework in the policy to re-order the decision making cycle commencing the cycle with stakeholder and community engagement;
- (as resolved by Council in August 2023) the extension of the coverage of the policy to other sports surfaces including lawn bowls, tennis, hockey and other synthetic surfaces.

In addition to these policy amendments, it is recommended that decision-making guidelines be developed and made public for Sportsground Surface investment decisions to be published online on Conversations Merri-bek or Council's website.

This report recommends the Sportsground Surface Policy with minor amendments be endorsed by Council.

Officer Recommendation

That Council:

1. Adopts the revised Sportsgrounds Surface Policy (the Policy) at Attachment 1, based on feedback from the recent community engagement.
2. Notes the Community Feedback Report at Attachment 2 that has shaped the revised Policy.
3. Endorses the development of decision-making guidelines for Sportsground Surface

investment decisions to be published online and referenced in the Policy.

4. Endorses the use of 'consult' level of engagement for ahead of procurement for future Sportsground Surface projects, following Council's Community Engagement Policy.

Resolution

Cr Conlan moved, Cr Pulford seconded -

That Council:

1. **Adopts the revised Sportsgrounds Surface Policy (the Policy) at Attachment 1, based on feedback from the recent community engagement.**
2. **Amends the Policy to include a requirement that any proposed new synthetic sporting ground is subject to Council consideration and decision.**
3. **Notes the Community Feedback Report at Attachment 2 that has shaped the revised Policy.**
4. **Endorses the development of decision-making guidelines for Sportsground Surface investment decisions to be published online and referenced in the Policy.**
5. **Endorses the use of 'consult' level of engagement ahead of procurement for future Sportsground Surface projects, following Council's Community Engagement Policy.**

10.03 pm Cr Yildiz returned to the meeting before the vote.

Carried

7.7 TOWARDS A PLACE-BASED, COMMUNITY CO-MANAGEMENT OF PARKS AND OPEN SPACES - PROJECT REPORT

Executive Summary

In response to a Council Resolution and decision through the 2022-23 budget process a trial project was commenced in September 2023 on initiatives on place-based community co-management of parks and open spaces. The trial initiatives aimed to improve community visibility of activities undertaken within a park and the level of involvement of the community with Council in open space management. The trial was conducted at ATC Cook Reserve in Glenroy and Allard Park/Jones Park in Brunswick East through to the end of July 2023.

The trial was received positively by the communities utilising the two parks. Outcomes achieved with the community included establishing a native garden and native lawn, the opening up of a car park, a litter pick up day and supporting the delivery of a Global City Nature Challenge entry event and a community festival at the adjoining Ballerit Mooroop.

The project found that whilst there was a willingness of the community to participate in the maintenance and activation of the parks and open spaces they needed to be continuously supported by the project officer to coordinate activities and maintain engagement. The community also expressed a clear desire for information relating to the park and training and game times for organised sport on the sportsgrounds. Officers recommend updating all park pages under the 'Find a Park' section of Council's website with current photos, park features and for those with a sportsground, links to sporting club pages with training and game time information.

Officer Recommendation

That Council:

1. Notes the successful outcomes achieved in partnership with the community and the findings of the report.
2. Updates all park pages under the 'Find a Park' section of Council's website with current photos, park features and for those with a sportsground, links to sporting club pages with training and game time information.

Resolution

Cr Riley moved, Cr Pulford seconded -

That Council:

1. **Notes the successful outcomes achieved in partnership with the community and the findings of the report.**
2. **Updates all park pages under the 'Find a Park' section of Council's website with current photos, park features and for those with a sportsground, links to sporting club pages with training and game time information.**

10.05 pm Cr Conlan left the meeting before the vote.

Carried

7.8 BRUNSWICK EARLY YEARS HUB - PROJECT UPDATE

Executive Summary

The Brunswick Early Years Hub will be a custom designed contemporary facility that will consolidate, integrate, and expand early years' service capability and provide premium learning and care environments for Merri-bek families. The Hub project involves the relocation of: Tinning Street Childcare Centre, 77 Tinning Street, Brunswick; owned by Council and operated by Moreland Community Child Care Centre Inc, (MCCCC); and Council's Maternal Child Health Centre, 482 Victoria Street, Brunswick West. The Hub will include up-to 138 Long Day Care, Kindergarten and Nursery places, providing 68 newly created places and will include space for playgroups.

This Report provides an update on key actions which have been completed to date and a scope of works to occur to progress the project in readiness for construction, estimated to commence in late 2024. Feedback received from community and stakeholder consultation and engagement will be incorporated into the detailed design of the new facility which is scheduled to occur in early 2024. The Report includes an update on the environmental audit process which is currently occurring in relation to the development site situated on Council owned land at 346, Albert Street, Brunswick. The full environmental audit process is due for completion in March 2023.

Officer Recommendation

That Council:

1. Notes the key project milestones which have been achieved to progress the development of the Brunswick Early Years Hub.
2. Notes the progress of an Environmental Audit to identify and mitigate site contamination risks which is due for completion in March 2024.

Resolution

Cr Riley moved, Cr Harte seconded -

That Council:

- 1. Notes the key project milestones which have been achieved to progress the development of the Brunswick Early Years Hub.**
- 2. Notes the progress of an Environmental Audit to identify and mitigate site contamination risks which is due for completion in March 2024.**

Carried

7.9 SUBURB BOUNDARY REALIGNMENT - BRIDGES AVENUE COBURG NORTH / PASCOE VALE

Executive Summary

The need for a minor realignment of a suburb boundary has emerged as a consequence of the subdivision of land on the parcel currently known as 2/18 Bridges Avenue, which lies partly within the suburb of Pascoe Vale and partially within Coburg North. The current and proposed suburb boundary realignment is indicated in the maps in Background and Issues sections of this report.

As the land parcels are located within two suburbs, Council is unable to issue street numbering for the proposed subdivision. Without the provision of street numbers from Council, the development is unable complete the subdivision process for the release of new titles to purchasers.

This recommendation is independent of any current or future planning processes or decisions regarding this development.

It seeks to resolve the suburb boundaries, which cannot bisect the development and bring the entirety of Bridges Avenue into the same suburb. The proposed boundary realignment is considered to be most effectively resolved by including the entire lots within the suburb of Coburg North.

Officer Recommendation

That Council approves the suburb boundary realignment to the western boundary of 2/18 Bridges Avenue, in order to ensure that the development is located wholly within the suburb of Coburg North, along with the rest of Bridges Avenue, as outlined in this report.

Resolution

Cr Pulford moved, Cr Riley seconded -

That Council approves the suburb boundary realignment to the western boundary of 2/18 Bridges Avenue, in order to ensure that the development is located wholly within the suburb of Coburg North, along with the rest of Bridges Avenue, as outlined in this report.

Carried

7.10 PUBLIC LITTER BINS - CHANGE OVER UPDATE

Executive Summary

Merri-bek City Council is committed to diverting waste from landfill and reducing the greenhouse gas emissions associated with waste management. The recent roll out of glass recycling and food and garden organics bins to all households will increase the amount and quality of materials recovered for recycling through the kerbside system.

Work is currently ongoing to identify priority waste materials across our local economy to inform the development of the new Circular Economy Strategy, which will replace the now expired Waste and Litter Strategy.

Since this time the internal and external context of waste management has changed significantly. Reforms to the kerbside waste collection service, the upcoming introduction of a Container Deposit Scheme, and the state-wide ban on 7 key single use plastic items will all impact on the performance of public litter bins.

Further work is needed to determine the costs and benefits of increasing public litter bin infrastructure.

This report addresses Items 3 and 4 in the Council Resolution Action Memo, 13 October 2021 as stated in the Previous Council Decision, that addressed the feasibility of including additional bins in public places to replicate the 4-bin program for residents and businesses.

The introduction of standardised signage to improve our current diversion and contamination levels is recommended as an initial phase. The introduction of additional bins for the food and garden organics and glass recycling streams can be assessed following the assessment of the effectiveness of the Kerbside Waste Reform and Container Deposit Scheme.

A 12-month trial of public place recycling bins in collaboration with the Brunswick 5Th Scouts Group has been set up in Methven Park to audit contamination levels and test various signage strategies to educate the public and minimise contamination levels.

In addition to the new initiatives Council will continue to monitor contamination in public litter bins and test and monitor effectiveness of strategies. Council will seek to collaborate, share information and learn from other councils addressing similar challenges.

Officer Recommendation

That Council:

1. Updates Technical Notes Part B – B140 Bins as part of Merri-bek Technical Notes Review to include signage for each stream that encourages correct public bin usage and colour coding in line with the Australian Standard.
2. Continues to provide public litter bins for general rubbish and mixed recyclables (in some locations) and introduces standardised signage on public bins across the municipality and limits the supply of 4 bins to residents and businesses.
3. Refers the following to the 2024/25 budget process:
 - Any additional resources required to create a standard look and feel to the public litter bins.

Resolution

Cr Riley moved, Cr Pulford seconded -

That Council:

1. **Updates Technical Notes Part B – B140 Bins as part of Merri-bek Technical Notes Review to include signage for each stream that encourages correct public bin usage and colour coding in line with the Australian Standard.**
2. **Continues to provide public litter bins for general rubbish and mixed recyclables (in some locations) and introduces standardised signage on public bins across the municipality and limits the supply of 4 bins to residents and businesses.**
3. **Refers the following to the 2024/25 budget process:**
 - **Any additional resources required to create a standard look and feel to the public litter bins.**

Carried

7.11 COMMUNITY SUPPORT DURING EXTREME HEAT EVENTS

Executive Summary

Climate science research forecast a likely increase in the duration and severity of extreme heat and heatwave events in the future and the confirmation of an El Nino weather event in Victoria which increases the likelihood of high temperatures during the 2023 – 2024 summer season. Extreme heat events can cause a substantial impact on the community and the quality of life of individuals and in some cases can cause severe health impacts and even death. The failure of energy, transport and other critical infrastructure can greatly compound the health impact of an extreme heat event. This Report outlines the range of measures taken by Council to support the community during periods of high or extreme heat, including the availability of cool venues such as libraries and swimming pools.

Extreme Heat is identified as a high risk within Merri-bek in the Community Emergency Risk Assessment (CERA), given its likelihood and potential consequences. This risk rating informs the Extreme Heat Plan which is a sub-plan of the Municipal Emergency Management Plan which outlines Council's roles and responsibilities during emergencies including periods of extreme heat as outlined in this Report.

Officer Recommendation

That Council:

1. Supports the community during extreme heat events through:
 - a) Making community venues available in Merri-bek for the 2023-2024 summer for people to seek respite during extreme heat events, including extended operating hours, as outlined in the report;
 - b) Other actions as set out in the report, including monitoring of vulnerable clients of Council services and targeted communications to the wider community and vulnerable groups.
2. Continues to liaise with other Councils, Emergency Services agencies and the State Government to ensure the adequacy of planning and resourcing of community support during extreme heat events.

Resolution

Cr Bolton moved, Cr Davidson seconded -

That Council:

1. Supports the community during extreme heat events through:
 - a) Making community venues available in Merri-bek for the 2023-2024 summer for people to seek respite during extreme heat events, including extended operating hours, as outlined in the report;
 - b) Other actions as set out in the report, including monitoring of vulnerable clients of Council services and targeted communications to the wider community and vulnerable groups.
2. Continues to liaise with other Councils, Emergency Services agencies and the State Government to ensure the adequacy of planning and resourcing of community support during extreme heat events.

10.08 pm Cr Conlan returned to the meeting.

Carried

10.11 pm Cr Pavlidis left the meeting.

7.12 COMMUNITY INFORMATION AND SUPPORT MERRI-BEK

Executive Summary

This report is in response to a request to Council from CIS Merri-bek regarding its current and future funding needs. Community Information and Support Merri-bek (CIS Merri-bek) is located at 512 Sydney Road Coburg. The organisation provides emergency relief that supports residents who are in financial crisis and experiencing financial disadvantage with limited or no other means of support. CIS Merri-bek have delivered this service locally for more than 45 years. For a client accessing emergency relief, this could mean help with food, food vouchers, and help with household bills (utilities, travel, and medical costs) as well as information, advocacy and referrals. The organisation does not receive any operational funding for their coordination from government or philanthropic agencies and has no secure accommodation.

They were a critical part of the response during Covid-19 and will be an important part of supporting the community through other disasters, such as the upcoming heatwave.

CIS Merri-bek are seeking support from Council for operational funding to continue the service. They have previously had Councils organisational support grant, and then Covid-related funding via the State Government but they are no longer eligible for this funding and/or it is no longer available.

There is a broader campaign to gain State funding in the longer term, not just for CIS Merri-bek but across other Community Information and Support Services across the state.

In addition, the future accommodation of CIS Merri-bek is not secure, as their lease agreement with the Uniting Church of Australia, is on a month-to-month basis and the Uniting Church has entered into an arrangement with Assemble Futures to redevelop the current site at 512 Sydney Road.

It is understood that a preliminary proposal for the redevelopment of part of the site has been presented to the State Government as part of its Development Facilitation. Ultimately the proposal, should it progress, will be considered and determined by the Minister for Planning rather than Council. This process should allow for formal comments to be sought from Council and the surrounding community as part of the State Governments Development Facilitation Process.

Council Officers are investigating any possible suitable Council owned premises that may might provide suitable interim accommodation.

Officer Recommendation

That Council:

1. Refers \$50,000 to support the Community and Information Support Merri-bek (CIS Merri-bek) operational funding to the Quarter 1 2023/24 budget review and then a further \$50,000 to the 2024/25 and 2025/26 budget process for Council's consideration.
2. Notes the leadership role CIS Merri-bek play in food relief coordination across the community and support them to continue providing food relief information via Council channels and coordinate the food relief network as part of any operational funding awarded by Council.
3. Supports Community Information and Support Victoria's (CIS Vic's) advocacy to the Victorian Government for operational funding.

Resolution

Cr Pulford moved, Cr Bolton seconded -

That Council:

1. **Refers \$50,000 to support the Community and Information Support Merri-bek (CIS Merri-bek) operational funding to the Quarter 1 2023/24 budget review and then a further \$50,000 to the 2024/25 and 2025/26 budget process for Council's consideration.**
2. **Notes the leadership role CIS Merri-bek play in food relief coordination across the community and support them to continue providing food relief information via Council channels and coordinate the food relief network as part of any operational funding awarded by Council.**
3. **Supports Community Information and Support Victoria's (CIS Vic's) advocacy to the Victorian Government for operational funding.**

Carried

7.13 BANNING FOSSIL FUEL ADVERTISING ON COUNCIL LAND

Executive Summary

In 2018, Merri-bek declared a climate emergency and in 2019 Council passed the Zero Carbon Merri-bek Strategy to take a leading role in decarbonising our city, transitioning to net-zero emissions. The burning of fossil fuels is the major cause of the climate emergency. Climate action consistent with the science requires new coal, oil and gas to remain in the ground and our energy system to urgently transition to 100% clean renewable energy.

Council has been approached by Comms Declare, a volunteer run, nonpartisan group of communications professionals committed to a transition to a climate friendly future. Comms Declare has commenced a campaign to ban fossil fuel advertising in Australia and is seeking support from local Councils to ban fossil fuel advertising in their local communities.

A ban on advertising of fossil fuel companies on Council land could be a positive addition to the suite of existing Council initiatives designed to support tenants of Council-owned buildings and facilities to be less reliant on fossil fuels in the context of the climate emergency.

A survey was undertaken of all active tenants of Council owned and managed land, seeking input to understand what a ban on fossil fuel advertising would mean for them and what each organisation's position was in relation to climate action. Of the 22 responses, all respondents indicated they had no current fossil fuel advertising, with 2% stating the introduction of such a ban may have an organisational impact: primarily relating to grants and funding.

Should a decision be made to introduce a ban on fossil fuel company advertising on Council land, updates would be made to Council's draft Lease and License Policy, the draft Allocation and Use of Sporting Facilities, Grounds and Pavilions Policy, and its accompanying User Guide incorporating this prohibition. Additionally, changes to formal agreements could be phased in as lease and licence agreements are renewed or negotiated.

Officer Recommendation

That Council:

1. Not permit advertising on Council land which specifically promotes fossil fuel companies, or companies which are directly involved in the extraction, production and/or processing of coal, oil and gas.
2. Notes the definitions of 'fossil fuel', 'fossil fuel company' and 'Council Land' as provided in the Council report which articulate the scope of this resolution.
3. Includes in the draft Lease and Licence Policy, the draft Allocation and Use of Sporting Facilities, Grounds and Pavilions Policy, and its accompanying User Guide to reference the prohibition of advertising of companies that produce or supply fossil fuels on Council land.
4. Notes that agreements with tenants relating to this initiative would be phased in as lease, licence, land-related contracts and allocation agreements are renewed or negotiated.

Resolution

Cr Pulford moved, Cr Bolton seconded -

That Council:

1. **Not permit advertising on Council land which specifically promotes fossil fuel companies, or companies which are directly involved in the extraction, production and/or processing of coal, oil and gas.**
2. **Notes the definitions of 'fossil fuel', 'fossil fuel company' and 'Council Land' as provided in the Council report which articulate the scope of this resolution.**
3. **Includes in the draft Lease and Licence Policy, the draft Allocation and Use of Sporting Facilities, Grounds and Pavilions Policy, and its accompanying User Guide to reference the prohibition of advertising of companies that produce or supply fossil fuels on Council land.**

4. **Notes that agreements with tenants relating to this initiative would be phased in as lease, licence, land-related contracts and allocation agreements are renewed or negotiated.**

Carried

7.14 ABORIGINAL PLACE NAMES ON POSTAL CHANNELS

Executive Summary

In 2021 Council endorsed a Statement of Commitment to Wurundjeri Woi-wurrung People and Aboriginal and Torres Strait Islander People, that recognises the Wurundjeri Woi-wurrung people are the Traditional Owners of the lands and waterways in Merri-bek. Implementing the traditional place names as part of the mailing address is a simple and proactive approach Council can adopt that aligns with our Statement of Commitment.

Use of traditional place names can help build cultural awareness, respect and understanding of First Nations history, language, and connection to country. Australia Post's address guidelines include instructions on use of traditional place names in their postal service along with the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) Map of Indigenous Australia as a resource to locate the traditional place of different regions.

There are actions Merri-bek City Council can take to encourage and implement the use of traditional place names in Council's day-to-day work, such as through address protocols. Actions that require changes to Council's systems will require further consideration and enquiry to determine capability and impacts.

Officer Recommendation

That Council:

1. **Adopts the immediate implementation of traditional Aboriginal place name Wurundjeri Woi-wurrung Country as part of the Merri-bek City Council address;**
2. **Adopts a progressive implementation approach for the use of traditional Aboriginal place names in postal addresses for mail outgoing from Council, as becomes possible following staff training and systems upgrades.**

Resolution

Cr Riley moved, Cr Bolton seconded -

That Council:

1. **Adopts the immediate implementation of traditional Aboriginal place name Wurundjeri Woi-wurrung Country as part of the Merri-bek City Council address;**
2. **Adopts a progressive implementation approach for the use of traditional Aboriginal place names in postal addresses for mail outgoing from Council, as becomes possible following staff training and systems upgrades.**

Carried

Cr Davidson abstained from voting.

7.15 PROPOSED SALE - 2 SPRY STREET, COBURG NORTH

Executive Summary

In 2018, Council purchased the property at 2 Spry Street, Coburg North, a plan of which is shown in Attachment 1. The purchase was funded from the Public Reserve and Recreation Land Fund. The site was identified as a strategic open space acquisition, because it met *Goal 3 of the Open Space Strategy - to improve access and increase the vegetation buffer along the Merri Creek* and provided an opportunity to introduce an access pathway from Spry Street to the creek/shared trail.

The site measured 4,364 square metres and is zoned General Residential Zone and contained a double storey dwelling.

At its meeting on 6 August 2018, (an extract of the Council meeting minutes is attached to this report as Attachment 2), Council resolved in the event that it acquired the land to create a separate disposable lot and give public notice of its intent to sell the land and invite written submissions. The proceeds of any sale would be contributed to the Public Resort and Recreation Land Fund.

The subdivision process has been completed, a new lot has been created for the dwelling and part thereof land known as Lot 1 measuring 857sqm in Attachment 1.

At its meeting on 13 September 2023 Council confirmed its previous resolution:

- To declare the remaining 857m² of the site surplus to its requirements and resolved in accordance with section 114 of the *Local Government Act 2020* to give public notice of its intention to sell the site in *The Age* newspaper, on Council's Conversations Merri-bek website, on Council's main website and by placing a notice on the site inviting written submissions.
- Notes that the dwelling needs costly repairs, has no identified Council use, and is unlikely to be of interest to social or affordable housing providers due to its relatively poor location, and the significant level of investment needed.

Public notice was given in *The Age* newspaper, on Council's Conversations Merri-bek website, on Council's main website and by placing a notice on the site inviting written submissions. Submissions closed at 5 pm on 16 October 2023.

One submission was received, in Attachment 3. The submitter did not request to be heard, so a Hearing of Submissions Committee meeting was not required.

Council, having satisfied its statutory requirements under Section 114 the *Local Government Act 2020* and its Community Engagement Policy, is now in a position to make a decision on the proposed sale of the site at 2 Spry Street, Coburg North. This report recommends that Council proceeds with the sale of this site via a public process and return the funds to be used for future acquisition or improvement of open space.

Officer Recommendation

That Council:

1. Notes that the portion of land that Council acquired at Spry Street to create an open space buffer and path along the Merri Creek has now been subdivided and will remain in Council ownership
2. Notes the one submission received in relation to the proposed sale of the remainder of the land at 2 Spry Street, Coburg North.
3. Having fulfilled its obligations under Section 114 of the *Local Government Act 2020* and Council's Community Engagement Policy, supports the proposal to sell the site at 2 Spry St, Coburg North by a public process.
4. Writes to the submitter advising them of the Council's decision.

5. Authorises the Director Place and Environment to do all things necessary to effect the sale of 2 Spry Street, Coburg North by a public process.
6. Returns the net proceeds of this sale to the Public Resort and Recreation Land Fund in accordance with the resolution of Council at its 6 August 2018 meeting.

Resolution

Cr Riley moved, Cr Harte seconded -

That Council:

1. **Notes that the portion of land that Council acquired at Spry Street to create an open space buffer and path along the Merri Creek has now been subdivided and will remain in Council ownership**
2. **Notes the one submission received in relation to the proposed sale of the remainder of the land at 2 Spry Street, Coburg North.**
3. **Having fulfilled its obligations under Section 114 of the Local Government Act 2020 and Council's Community Engagement Policy, supports the proposal to sell the site at 2 Spry St, Coburg North by a public process.**
4. **Writes to the submitter advising them of the Council's decision.**
5. **Authorises the Director Place and Environment to do all things necessary to effect the sale of 2 Spry Street, Coburg North by a public process.**
6. **Returns the net proceeds of this sale to the Public Resort and Recreation Land Fund in accordance with the resolution of Council at its 6 August 2018 meeting.**

Carried

10.21 pm *Cr Pavlidis returned to the meeting.*

7.16 SUPPORT FOR NEIGHBOURHOOD HOUSES

Executive Summary

This report is in response to Notice of Motion 8.2 Support for Neighbourhood Houses received at the Council meeting held 13 September 2023. At this meeting Council resolved to receive a report on options for Council to provide additional public liability insurance to neighbourhood houses for room hire to community groups.

There are seven independent neighbourhood houses within Merri-bek. They offer educational, social, recreational and support programs for people of all backgrounds, ages and cultures. Neighbourhood Houses also offer venue hire to unincorporated groups or individuals for the purpose of meetings, training, art and craft and birthday parties.

Unincorporated groups or individuals usually do not hold Public Liability Insurance and consequently, local community groups have become hesitant or unwilling to utilise Neighbourhood House facilities for their needs or are hiring a room or hall for an event without the adequate insurance cover.

Council's Insurance broker has been successful in negotiating an extension of Council's Community Liability Policy which will ensure unincorporated groups or individuals will be covered for public liability incidents when hiring rooms from Neighbourhood Houses, however there are specific conditions and an additional premium allocated to the Council. These conditions include approval processes through the Council for uninsured hirers, compliance with Council's hiring terms, single-day events with restrictions, exclusion of alcohol, and other safety and legal requirements. The Council will provide guidance to Neighbourhood Houses on how these conditions will be applied. The impact to budget is and additional \$3,500 per year.

Officer Recommendation

That Council approves the extension of Council's Community Liability Policy to provide cover for uninsured unincorporated hirers and individuals when hiring rooms from Neighbourhood Houses, providing protection in the event of public liability incidents.

Resolution

Cr Bolton moved, Cr Pulford seconded -

That Council defer this item to the next Council meeting.

Carried

7.17 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 Conlan seconded -

That Council defers the consideration of item 7.17 Adoption of Council's Governance Rules 2023, to the February 2024 Council meeting to allow for further review of the provisions relating to minutes, rescission notices, conflicts of interest and quorum.

Carried

7.18 YEAR 3 COUNCIL ACTION PLAN 2023-24 - FIRST QUARTER PERFORMANCE REPORT

Executive Summary

This First Quarter Performance Report (Attachment 1) provides an overview of Council's performance through the delivery of the Council Plan 2021-25, specifically the Year 3 Council Action Plan 2023-24.

The final status of the 91 actions is as follows:

- 2 per cent (2 actions) closed (achieved)
- 92 per cent (83 actions) in progress (on track)
- 2 per cent (2 actions) behind target (off track)
- 1 per cent (1 actions) withdrawn (removed), proposed to be withdrawn, or on hold

Given that Council is in the first quarter of this financial year, some actions have yet to start and are planned for delivery in the second half of the year, and over 90% of actions are on track at the end of the first quarter.

Endorsement is sought to place 82 '*Continue to review Neighbourhood Character provisions in the planning scheme*' on hold in the Year 3 Council Action Plan 2023-24 for continued reporting as it is dependent on the outcomes from the State Government Planning reforms.

An endorsement is also sought to amend the Year 3 Council Action Plan 2023-24 to include the following action: '*Commence implementation of homelessness strategy*' under Theme 3: A healthy and caring Merri-bek. This action directly resulted from a NOM from the 10 May 2023 Council Meeting.

Further, it is proposed to withdraw action 155 'Implement a meeting room booking system that enhances current system and encourages ease of new bookings' from Year 2 Council Action Plan 2022-23. After evaluating options, there was found to be no viable, cost-effective solution for this project.

This report also includes updates on those actions that were not achieved or 'Off-Track' in the 2021-22 and 2022-23 action plans and as resolved by Council on 10 August 2022 and 9 August 2023 to continue reporting on these actions separately, yet concurrently until their completion are outlined in the table below in section two of this report.

Officer Recommendation

That Council:

1. Notes the Council Action Plan 2023-24 – First Quarter Performance Report (provided as Attachment 1).
2. Notes the progress of the ‘Off Track’ or incomplete actions from Council Action Plan 2021-2022 and 2022-23 (as provided in the table below). These actions have continued to be tracked and will be reported (as resolved by Council, 10 August 2022 and 9 August 2023).
3. Endorse placing action 82 ‘Continue to review Neighbourhood Character provisions in the planning scheme’ on hold in the Year 3 Council Action Plan 2023-24.
4. Endorse the inclusion of new action in Year 3 Council Action Plan 2023-24 ‘Commence implementation of homelessness strategy’ under Theme 3: A healthy and caring Merri-bek in the 2023-24. This action was a direct result of a NOM from the 10 May 2023 Council Meeting.
5. Endorse the withdrawal of action 155 ‘Implement a meeting room booking system that enhances current system and encourages ease of new bookings’ from Year 2 Council Action Plan 2022-23 for continued reporting.

Resolution

Cr Pulford moved, Cr Riley seconded -

That Council:

1. **Notes the Council Action Plan 2023-24 – First Quarter Performance Report (provided as Attachment 1).**
2. **Notes the progress of the ‘Off Track’ or incomplete actions from Council Action Plan 2021-2022 and 2022-23 (as provided in the table below). These actions have continued to be tracked and will be reported (as resolved by Council, 10 August 2022 and 9 August 2023).**
3. **Endorse placing action 82 ‘Continue to review Neighbourhood Character provisions in the planning scheme’ on hold in the Year 3 Council Action Plan 2023-24.**
4. **Endorse the inclusion of new action in Year 3 Council Action Plan 2023-24 ‘Commence implementation of homelessness strategy’ under Theme 3: A healthy and caring Merri-bek in the 2023-24. This action was a direct result of a NOM from the 10 May 2023 Council Meeting.**
5. **Endorse the withdrawal of action 155 ‘Implement a meeting room booking system that enhances current system and encourages ease of new bookings’ from Year 2 Council Action Plan 2022-23 for continued reporting.**

Carried

Time Extension

Resolution

Cr Harte moved, Cr Riley seconded -

That the Council meeting be extended by 30 minutes to 11.00 pm.

Carried

7.19 FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 30 SEPTEMBER 2023

This report presents the Financial Management Report for the financial year to date period ending 30 September 2023.

The September Income Statement shows the Council surplus is \$7.0 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 \$11.3 million on capital expenditure, which is tracking below the year-to-date (YTD) forecast of \$20.7 million, with \$116.1 million budget remaining.

This report also seeks Council approval for the allocation of additional budget to three projects in the Capital Works Program (Saxon Street Community Hub, Wallace Reserve Pavilions Project and Commercial Tenancy Project) for reasons including latent conditions causing delays and the need for re-design of some aspects of some of the projects; design challenges, resulting in an overall increase in cost and delivery timeframes; and additional works to maintain a compliant goods lift as outlined in the issues section of this report.

Officer Recommendation

That Council:

1. Notes the Financial Management Report for the period ended 30 September 2023, at Attachment 1 to this report.
2. Approves the allocation of additional budget to three projects in the Capital Works Program (and to be incorporated into the Quarter 1 budget forecast) as follows:
 - a) \$1,500,000 from the Significant Projects Reserve to the Saxon Street Community Hub project, taking the total project budget from \$28,998,029.00 to \$30,498,029.00.
 - b) \$150,000 of savings from the Fleming Park Masterplan Implementation project and \$50,000 of savings from the Park Street Kinder Roof replacement to the Wallace Reserve Pavilion Projects, taking the total combined project budget to \$1,195,591.06
 - c) A further \$80,000 of savings from the Fleming Park Masterplan Implementation project to the Commercial Tenancy Obligations Project, taking the total project budget to \$330,000.

Resolution

Cr Riley moved, Cr Conlan seconded -

That Council:

1. **Notes the Financial Management Report for the period ended 30 September 2023, at Attachment 1 to this report.**
2. **Approves the allocation of additional budget to three projects in the Capital Works Program (and to be incorporated into the Quarter 1 budget forecast) as follows:**
 - a) **\$1,500,000 from the Significant Projects Reserve to the Saxon Street Community Hub project, taking the total project budget from \$28,998,029.00 to \$30,498,029.00.**
 - b) **\$150,000 of savings from the Fleming Park Masterplan Implementation project and \$50,000 of savings from the Park Street Kinder Roof replacement to the Wallace Reserve Pavilion Projects, taking the total combined project budget to \$1,195,591.06**
 - c) **A further \$80,000 of savings from the Fleming Park Masterplan Implementation project to the Commercial Tenancy Obligations Project, taking the total project budget to \$330,000.**

Carried

7.20 AUDIT AND RISK COMMITTEE CHARTER REVIEW

Executive Summary

In accordance with the *Local Government Act 2020* Council is required to establish an Audit and Risk Committee.

In doing so, Council must have in place an Audit and Risk Committee Charter that specifies the functions and responsibilities of the Committee. The current Audit and Risk Committee Charter stipulates that it be reviewed biennially.

The Audit and Risk Committee reviewed the Charter at its meeting held 5 September 2023. The Charter largely preserves many of the existing provisions, with Council officers recommending minor grammatical / administrative amendments, consolidating related provisions under dedicated sections for improved readability, and updating Council's name and Council officer titles.

In addition to these improvements, the Audit and Risk Committee also endorsed changes and recommendations relating to the correction and duplication of reference to skills under section 12, removal of the signatory page, amending the evaluating performance of the committee to occur every two years via an evaluation survey, strengthening the recruitment of independent members and clarifying the process.

Further it is recommended to remove the requirement for the Strategic Internal Audit plan to be presented at Councillor briefing by the Chairperson. The removal of this requirement is recommended due to the necessity of presenting an Annual Committee Performance Report formally to Council.

Officer Recommendation

That Council endorses the updated Audit and Risk Committee charter as provided in Attachment 1 to this report (as recommended by the Audit and Risk Committee).

Resolution

Cr Pulford moved, Cr Riley seconded -

That Council endorses the updated Audit and Risk Committee charter as provided in Attachment 1 to this report (as recommended by the Audit and Risk Committee).

Carried

10.28 pm Cr Riley left the meeting.

7.21 GOVERNANCE REPORT - NOVEMBER 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 the following items:

- A summary of the minutes of the Sustainable Transport Advisory Committee meetings held 12 September and 24 October 2023.
- Records of Meetings, with a recommendation that Council notes the records.
- Response to a Public Question Time item taken on notice at 12 July 2023 Council meeting, with a recommendation that Council notes the response.
- Merri-bek City Council Audit and Risk Committee Recommendations and Findings Report 2022-23.
- Registration of Merri-bek City Council Friends of Aileu as a fundraiser.
- Adoption of the Council Meeting Dates for 2024.
- Revocation of the Community Facilities and Directional Signage Policy and the Landscape Guidelines and Technical Notes for Various Developments Policy.
- A recommendation that Council appoints and authorises the Council officers referred to in the Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*).

Officer Recommendation

That Council:

1. Notes the summary of minutes from Advisory Committees to Council, at Attachment 1 to this report:
 - a) Sustainable Transport Advisory Committee meeting held on 12 September 2023.
 - b) Sustainable Transport Advisory Committee meeting held on 24 October 2023.
2. Notes the Records of Meetings, at Attachment 2 to this report.
3. Notes the response to a question taken on notice during Public Question Time at the 12 July meeting Council meeting, at Attachment 3 to this report.
4. Notes the Merri-bek City Council Audit and Risk Committee Recommendations and Findings Report 2022-23, at Attachment 4 to this report.

5. Approves Merri-bek City Council – Friends of Aileu being registered as a fundraiser with Consumer Affairs Victoria in accordance with the Fundraising Act 1998, with respect to the East Timor Partnership Project.
6. Notes the requirements and arrangements for the registration of Merri-bek City Council – Friends of Aileu as a fundraiser:
 - a) The Project Officer, East Timor will be nominated as the appeal manager.
 - b) The CEO, Director Community, Manager Community Health and Wellbeing and Unit Manager Aquatics and Leisure and Community Venues are deemed as associates and will be requested to complete a Criminal Record and Insolvency Declaration.
 - c) All members of the Friends of Aileu Community Committee, including Merri-bek and Hume City Council Councillor representatives, community members and partner organisation representatives are deemed as associates and will be requested to complete a Criminal Record and Insolvency Declaration.
 - d) The Project Officer East Timor will complete the on-line registration, including obtaining and lodging:
 - i. The Beneficiary consent forms required to be completed by or on behalf of all beneficiaries of the fundraising.
 - ii. The Criminal record and insolvency declaration required to be completed by the appeal manager and all associates.
 - e) The Project Officer East Timor will be required to lodge to Consumer Affairs:
 - i. An annual financial return.
 - ii. A Fundraiser Change of Details form, annually or as required, for instance when the appeal manager or any associate changes.
 - iii. A fundraiser renewal every 3 years.
7. Sets the dates and times for Council meetings in 2024 as provided in Attachment 5 to this report, and designates those meetings indicated for consideration of Planning and Related Matters in accordance with the Governance Rules.
8. Sets the date and time for the election of the Mayor for 2024/25 as Wednesday, 20 November 2024, at 7 pm.
9. Appends the schedule of 2024 Council meetings to the minutes, publishes it on the Council website and makes it available at Customer Service Centres.
10. Approves the revocation of the Community Facilities and Directional Signage Policy and the Landscape Guidelines and Technical Notes for Various Developments Policy.
11. In the exercise of the powers conferred by section 147(4) of the *Planning and Environment Act 1987* and section 313 of the *Local Government Act 2020*:
 - a) Appoints and authorises Council staff referred to in the Instrument at Attachment 6 of this report, as set out in the instrument.
 - b) Determines the instrument comes into force immediately, the common seal of Council is affixed to the instruments and remains in force until Council determines to vary or revoke it.
 - c) Authorises the affixing of Council's common seal.

Resolution

Cr Pulford moved, Cr Conlan seconded -

That Council:

- 1. Notes the summary of minutes from Advisory Committees to Council, at Attachment 1 to this report:**
 - a) Sustainable Transport Advisory Committee meeting held on 12 September 2023.**
 - b) Sustainable Transport Advisory Committee meeting held on 24 October 2023.**
- 2. Notes the Records of Meetings, at Attachment 2 to this report.**
- 3. Notes the response to a question taken on notice during Public Question Time at the 12 July meeting Council meeting, at Attachment 3 to this report.**
- 4. Notes the Merri-bek City Council Audit and Risk Committee Recommendations and Findings Report 2022-23, at Attachment 4 to this report.**
- 5. Approves Merri-bek City Council – Friends of Aileu being registered as a fundraiser with Consumer Affairs Victoria in accordance with the Fundraising Act 1998, with respect to the East Timor Partnership Project.**
- 6. Notes the requirements and arrangements for the registration of Merri-bek City Council – Friends of Aileu as a fundraiser:**
 - a) The Project Officer, East Timor will be nominated as the appeal manager.**
 - b) The CEO, Director Community, Manager Community Health and Wellbeing and Unit Manager Aquatics and Leisure and Community Venues are deemed as associates and will be requested to complete a Criminal Record and Insolvency Declaration.**
 - c) All members of the Friends of Aileu Community Committee, including Merri-bek and Hume City Council Councillor representatives, community members and partner organisation representatives are deemed as associates and will be requested to complete a Criminal Record and Insolvency Declaration.**
 - d) The Project Officer East Timor will complete the on-line registration, including obtaining and lodging:**
 - i. The Beneficiary consent forms required to be completed by or on behalf of all beneficiaries of the fundraising.**
 - ii. The Criminal record and insolvency declaration required to be completed by the appeal manager and all associates.**
 - e) The Project Officer East Timor will be required to lodge to Consumer Affairs:**
 - i. An annual financial return.**
 - ii. A Fundraiser Change of Details form, annually or as required, for instance when the appeal manager or any associate changes.**
 - iii. A fundraiser renewal every 3 years.**
- 7. Sets the dates and times for Council meetings in 2024 as provided in Attachment 5 to this report, and designates those meetings indicated for consideration of Planning and Related Matters in accordance with the Governance Rules.**

8. Sets the date and time for the election of the Mayor for 2024/25 as Wednesday, 20 November 2024, at 7 pm.
9. Appends the schedule of 2024 Council meetings to the minutes, publishes it on the Council website and makes it available at Customer Service Centres.
10. Approves the revocation of the Community Facilities and Directional Signage Policy and the Landscape Guidelines and Technical Notes for Various Developments Policy.
11. In the exercise of the powers conferred by section 147(4) of the Planning and Environment Act 1987 and section 313 of the Local Government Act 2020:
 - a) Appoints and authorises Council staff referred to in the Instrument at Attachment 6 of this report, as set out in the instrument.
 - b) Determines the instrument comes into force immediately, the common seal of Council is affixed to the instruments and remains in force until Council determines to vary or revoke it.
 - c) Authorises the affixing of Council's common seal.

Carried

Council Meeting Dates - 2024

Date	Time	Meeting type
Wednesday, 31 January 2024	6.30 pm	Council Meeting - Planning and Related Matters
Wednesday, 14 February 2024	7 pm	Council Meeting
Wednesday, 28 February 2024	6.30 pm	Council Meeting - Planning and Related Matters
Wednesday, 13 March 2024	7 pm	Council Meeting
Wednesday, 27 March 2024	6.30 pm	Council Meeting - Planning and Related Matters
Wednesday, 10 April 2024	7 pm	Council Meeting
Wednesday, 24 April 2024	6.30 pm	Council Meeting - Planning and Related Matters
Wednesday, 8 May 2024	7 pm	Council Meeting
Wednesday, 22 May 2024	6.30 pm	Council Meeting - Planning and Related Matters
Wednesday, 12 June 2024	7 pm	Council Meeting
Wednesday, 26 June 2024	6.45 pm	Council Meeting - Planning and Related Matters
Wednesday, 10 July 2024	7 pm	Council Meeting
Wednesday, 24 July 2024	6.30 pm	Council Meeting - Planning and Related Matters
Wednesday, 14 August 2024	7 pm	Council Meeting
Wednesday, 28 August 2024	6.30 pm	Council Meeting - Planning and Related Matters
Wednesday, 11 September 2024	7 pm	Council Meeting
Monday, 23 September 2024	6.30 pm	Council Meeting - Planning and Related Matters
Tuesday, 24 September 2024		Pre-election Caretaker Period Commences
Wednesday, 9 October 2024	7 pm	Council Meeting
Wednesday, 23 October 2024	6.30 pm	Council Meeting - Planning and Related Matters
Saturday, 26 October 2024		General Election Day
Monday, 18 November 2024	7 pm	Council Meeting - Swearing In
Wednesday, 20 November 2024	7 pm	Council Meeting - Mayoral Election
Wednesday, 11 December 2024	7 pm	Council Meeting
Wednesday, 18 December 2024	6.30 pm	Council Meeting - Planning and Related Matters

7.22 CONTRACT AWARD - RFT-2023-452 - ROAD RECONSTRUCTION WORKS - WARATAH STREET, PASCOE VALE

Executive Summary

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

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

The project will be utilising recycled crushed concrete as bedding material in the road sub-base and as backfill to the new drainage pipes in the street. The use of recycled crushed concrete will reduce the need for raw materials by approximately 550 cubic metres.

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

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

Officer Recommendation

That Council:

1. Authorises the Chief Executive Officer to:
 - a) Make a formal offer to Presta Construction Group Pty Ltd (Contractor) to award to the Contractor contract RFT-2023-452 for the Road Reconstruction Works – Waratah Street, Pascoe Vale between Derby to Sussex Street (Contract) on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution for the lump sum of \$607,775.00 excluding GST plus provisional sum of \$126,930.00 (excluding GST), totaling \$734,705.00 (excluding GST).
 - b) Negotiate and finalise the terms of the Contract between Council and the Contractor provided that:
 - i. the terms specified in paragraph 1(a) of this Resolution shall not be altered without a further Resolution of Council; and
 - ii. other than terms referred to in paragraph 1(a) of this Resolution, the terms of the Contract are acceptable to the Chief Executive Officer;
2. Conditional on acceptance of the Contract by the Contractor in accordance with the terms of this Resolution:
 - a) Authorises the Chief Executive Officer to do all things necessary to execute the Contract and any required documentation for the Contract; and
 - b) Advises all tenderers of Council's decision in relation to the Contract.

Resolution

Cr Harte moved, Cr Yildiz seconded -

That Council:

1. **Authorises the Chief Executive Officer to:**
 - a) **Make a formal offer to Presta Construction Group Pty Ltd (Contractor) to award to the Contractor contract RFT-2023-452 for the Road Reconstruction Works – Waratah Street, Pascoe Vale between Derby to Sussex Street (Contract) on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution for the lump sum of \$607,775.00 excluding GST plus provisional sum of \$126,930.00 (excluding GST), totaling \$734,705.00 (excluding GST).**
 - b) **Negotiate and finalise the terms of the Contract between Council and the Contractor provided that:**
 - i. **the terms specified in paragraph 1(a) of this Resolution shall not be altered without a further Resolution of Council; and**
 - ii. **other than terms referred to in paragraph 1(a) of this Resolution, the terms of the Contract are acceptable to the Chief Executive Officer;**
2. **Conditional on acceptance of the Contract by the Contractor in accordance with the terms of this Resolution:**
 - a) **Authorises the Chief Executive Officer to do all things necessary to execute the Contract and any required documentation for the Contract; and**
 - b) **Advises all tenderers of Council's decision in relation to the Contract.**

10.30 pm *Cr Riley returned to the meeting before the vote.*

Carried

7.23 CONTRACT AWARD - EXE-2023-501 ASSET MANAGEMENT SYSTEM AND ASSOCIATED SERVICES

Executive Summary

Council has in place as Asset Management System that manages Council's asset register, operational and maintenance records, and asset accounting records.

In 2018, Council decided to upgrade existing on-premises Asset Management System (AMS) to Cloud Based Asset Management System Brightly (previously known as Assetic). At that time, Council entered year to year contract with 5 per cent increment.

The Contractor is the only vendor currently able to support our existing Asset Management System requirements. We seek to engage the Contractor in accordance with section 6.1.4.2(a) of the Procurement Policy exemption - Information technology resellers and software developers. This provision allows Council to renew software licenses and maintenance and support, or upgrade existing systems, where there is only one supplier of the software, who holds the intellectual property rights to the software.

It is proposed to enter into a three (3)-year fixed term contract with a further two (2) extension options of two (2) years each.

The cumulative expenditure of the proposed contract will exceed the Chief Executive Officer's financial delegation. Consequently, Council approval is required.

Officer Recommendation

That Council:

1. Authorises the Chief Executive Officer to engage Brightly Software Australia Pty Ltd ACN 126 629 954 (**Contractor**) under contract EXE-2023-501 for the provision of software application support and maintenance for Council's Asset Management System 'Brightly' (**Contract**):
 - a) For an expenditure not exceeding \$1,003,442.00 excluding GST
 - b) For a term commencing 1 February 2024 for an initial period of three (3) years, with a further two (2) extension options of two (2) years each at the discretion of Council subject to performance.
2. Authorises the Chief Executive to do all things necessary to execute the Contract and any other required documentation.
3. Authorises the Chief Executive to exercise the options to extend and vary the Contract in accordance with the provisions within the Contract.

Resolution

Cr Pulford moved, Cr Yildiz seconded -

That Council:

1. **Authorises the Chief Executive Officer to engage Brightly Software Australia Pty Ltd ACN 126 629 954 (Contractor) under contract EXE-2023-501 for the provision of software application support and maintenance for Council's Asset Management System 'Brightly' (Contract):**
 - a) **For an expenditure not exceeding \$1,003,442.00 excluding GST**
 - b) **For a term commencing 1 February 2024 for an initial period of three (3) years, with a further two (2) extension options of two (2) years each at the discretion of Council subject to performance.**
2. **Authorises the Chief Executive to do all things necessary to execute the Contract and any other required documentation.**
3. **Authorises the Chief Executive to exercise the options to extend and vary the Contract in accordance with the provisions within the Contract.**

Carried

7.24 CONTRACT EXE-2023-513 TELECOMMUNICATIONS SERVICES

Executive Summary

Council has been using telephony and data services provided by Telstra Corporation Limited since 3 October 2014 under the Municipal Association of Victoria (MAV) Telecommunications Contract TC4322-2013 which expired on 20 August 2020.

Council is currently utilising the previous Telstra MAV carriage pricing agreement which expired on 20 August 2020. However, this contract had an automatic month-to-month renewal option that was being utilised.

This report seeks Council approval to enter an agreement with Telstra Corporation Limited (Telstra) for the provision of telephony and data services through the Victorian Telecommunication Services (VTS) panel contract, in accordance with the Department of Premier and Cabinet (DPC) State Purchase Contract VTS Head Agreement that complies with the Section 108 of the Local Government Act 2020. Tender #DPC-ICT-03- 2020/21 / ID: 450392 via the Victorian Telecommunications Services.

This agreement is effective from 17 December 2021 until 17 December 2027.

This panel contract allows for the provision of Telecommunications: Core Services including: Data Services; Fixed Voice Services; and Mobile Services.

Officer Recommendation

That Council:

1. Authorises the Chief Executive Officer to engage Telstra Limited ACN 086 174 781 (**Contractor**) under the State Purchase Contract (SPC) for the provision of Telecommunications Services for telephony and data services EXE-2023-513 (**Contract**) for:
 - a) An amount not exceeding \$1,049,889.60 excluding GST, and
 - b) A term of three years, commencing from the date executed by CEO and expiring three years from the execution date.
2. Authorises the Chief Executive officer to do all things necessary to execute the Contract, exercise future extension options, and vary the contract in accordance with the terms of the Contract.
3. Notes that the recommendation to engage Telstra does not comply with Council's commitment to "excluding from future contracts, tenders or business dealings any companies involved in the Adani mine and associated rail infrastructure projects; and will be excluding from future contracts, tenders or business dealings from any companies involved in developing new coal mines" as set out in Council's approved Procurement Policy 2021-2025.

Resolution

Cr Pulford moved, Cr Bolton seconded -

That Council:

1. **Authorises the Chief Executive Officer to engage Telstra Limited ACN 086 174 781 (Contractor) under the State Purchase Contract (SPC) for the provision of Telecommunications Services for telephony and data services EXE-2023-513 (Contract) for:**
 - a) **An amount not exceeding \$1,049,889.60 excluding GST, and**
 - b) **A term of three years, commencing from the date executed by CEO and expiring three years from the execution date.**
2. **Authorises the Chief Executive officer to do all things necessary to execute the Contract, exercise future extension options, and vary the contract in accordance with the terms of the Contract.**
3. **Notes that the recommendation to engage Telstra does not comply with Council's commitment to "excluding from future contracts, tenders or business dealings any companies involved in the Adani mine and associated rail infrastructure projects; and will be excluding from future contracts, tenders or business dealings from any companies involved in developing new coal mines" as set out in Council's approved Procurement Policy 2021-2025.**

Carried

7.25 CONTRACT AWARD - RFT-2023-445 - PROVISION OF ELECTRICAL SERVICES

Executive Summary

The report seeks Council endorsement to award Contract RFT-2023-445, Provision of Electrical Services. This contract will provide electrical maintenance services via a panel arrangement for an initial contract term of 2 years with two additional extension options each of 2 years at the discretion of Council. The total contract term including options is 6 years.

Tenders were called for a panel of appropriately experienced and licensed qualified vendors to provide maintenance services to electrical infrastructure across Council-owned buildings and property. This tender provides a standing offer arrangement for a prequalified panel of contractors. Five companies are proposed to be awarded Contract RFT-2023-445, namely:

- AB & MB Electrical Pty Ltd
- Alert Electrical Group (Registered Name: La Candide Pty Ltd)
- High Profile Engineering Pty Ltd
- JNJ Electrics Pty Ltd
- QA Electrical Pty Ltd

There is no specific nominated budget under this contract; it will be dependent upon workload generated by projects, and reactive and planned maintenance works. However, the overall combined contract expenditure is limited to \$2,040,000 ex GST over the life of the contract (up to 6 years).

Expenditure under this contract will be determined by available annual budget allocations and works required during the contract term.

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 High Profile Engineering Pty Ltd ACN 060 117 106, QA Electrical Pty Ltd ACN 124 222 760, La Candide Pty Ltd trading as Alert Electrical ACN 084 279 783, JNJ Electrics Pty Ltd ACV 085 334 434, AB & MB Electrical Contractors Pty Ltd ACN 084 670 100 (**Contractors**) to award to each Contractor panel Contract RFT-2023-455 for the Provision of Electrical Services (**Contract**) for a maximum spend of \$2,040,000 ex GST across all Contractors over the life of the contract 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 Contractors 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; and
 - b) Authorises the Chief Executive Officer to exercise the option(s) to extend contracts in accordance with the provisions within the Contract; and
 - c) Advises all tenderers of Council's decision in relation to the Contract.

Resolution

Cr Riley moved, Cr Harte seconded -

That Council:

1. **Authorises the Chief Executive Officer to:**
 - a) **Make a formal offer to High Profile Engineering Pty Ltd ACN 060 117 106, QA Electrical Pty Ltd ACN 124 222 760, La Candide Pty Ltd trading as Alert Electrical ACN 084 279 783, JNJ Electrics Pty Ltd ACV 085 334 434, AB & MB Electrical Contractors Pty Ltd ACN 084 670 100 (Contractors) to award to each Contractor panel Contract RFT-2023-455 for the Provision of Electrical Services (Contract) for a maximum spend of \$2,040,000 ex GST across all Contractors over the life of the contract 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 Contractors 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; and**
 - b) **Authorises the Chief Executive Officer to exercise the option(s) to extend contracts 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 PEDESTRIAN SAFETY AROUND BONWICK STREET, FAWKNER

Motion

That Council receives a report on improving pedestrian safety around the Bonwick Street shopping centre in Fawkner. Some safety aspects to be considered include:

1. Putting pedestrian-operated traffic lights on the pedestrian crossing on Jukes Road.
2. Erecting a pedestrian sign of the walking legs at the pedestrian crossing in the carpark on the eastern side of the shops.
3. Examine ways of improving the traffic flow to ensure that eastbound traffic turning right into Bonwick Street from Jukes Road doesn't bank up across the pedestrian crossing.

Resolution

Cr Bolton moved, Cr Harte seconded -

That Council receives a report on improving pedestrian safety around the Bonwick Street shopping centre in Fawkner as part of a report back on the proposed projects prioritised through the Fawkner Transport Study by the end of 2024. Some safety aspects to be considered include:

1. **Putting pedestrian-operated traffic lights on the pedestrian crossing on Jukes Road.**
2. **Erecting a pedestrian sign of the walking legs at the pedestrian crossing in the carpark on the eastern side of the shops.**
3. **Examine ways of improving the traffic flow to ensure that eastbound traffic turning right into Bonwick Street from Jukes Road doesn't bank up across the pedestrian crossing.**

Carried

The order of business was altered and Notice of Motion 8.2 War in Gaza was considered as the first report.

NOTICES OF RESCISSION

The order of business was altered and Notice of Rescission 9.1 Conclusion of Kent Road Separated Bike Lane Trial and Next Steps for Coburg to Glenroy Bike Route was considered after Notice of Motion 8.2 War in Gaza.

The order of business was altered and Notice of Rescission 9.2 De Carle Street Bicycle Lanes was considered after Notice of Rescission 9.1 Conclusion of Kent Road Separated Bike Lane Trial and Next Steps for Coburg to Glenroy Bike Route

FORESHADOWED ITEMS

Nil.

URGENT BUSINESS REPORTS

Nil.

CONFIDENTIAL BUSINESS

Resolution

Cr Davidson moved, Cr Harte seconded –

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

- **12.1 Notice of Motion - Strategic Land Acquisition – Open Space because it relates to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.**
- **12.2 Contract 2021-203 Management of Council's Aquatic and Leisure Services - Proposed Variation to guaranteed contract sum Y2 2023-2024 because it relates to private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.**

Carried

The Council meeting was closed to the public at 10.36 pm.

OPENING THE MEETING TO THE PUBLIC

Resolution

Cr Pulford moved, Cr Davidson seconded -

That the Council meeting be opened to the public.

Carried

The meeting opened to the public at 10.51 pm.

The meeting closed at 10.51 pm.