



Merri-bek
City Council

COUNCIL MEETING AGENDA

Wednesday 14 May 2025

Commencing 6.30 pm

Bunjil (Council Chamber), Merri-bek Civic Centre,
90 Bell Street, Coburg

Language Link

This is the Agenda for the Council meeting.
For assistance with any of the agenda items,
please telephone 9240 1111.

這是市政會會議的議程。您若在理解議程中有需要協助的地方，請打電話給“語言連接 (Language Link)”翻譯服務，號碼9280 1910。

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ਇਹ ਕੌਂਸਲ ਦੀ ਮੀਟਿੰਗ ਦਾ ਏਜੰਡਾ ਹੈ। ਏਜੰਡੇ ਦੀ ਕਿਸੇ ਆਈਟਮ ਬਾਰੇ ਮਦਦ ਲਈ, ਕ੍ਰਿਪਾ ਕਰਕੇ 9280 0751 ਤੇ ਟੇਲੀਫੋਨ ਕਰੋ।

Acknowledgement of the traditional custodians of the City of Merri-bek

Merri-bek City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Custodians of the lands and waterways in the area now known as Merri-bek, and pays respect to their elders past, present, and emerging, as well as to all First Nations communities who significantly contribute to the life of the area.

Information about Council Meetings

These notes have been developed to help people better understand Council meetings. All meetings are conducted in accordance with Council's Governance Rules.

WELCOME The Mayor, who chairs the meeting, formally opens the meeting.

APOLOGIES Where a Councillor is not present, their absence is noted in the minutes of the meeting. Council may also approve leaves of absence in this part of the meeting.

DISCLOSURES OF CONFLICTS INTERESTS A Councillor has a duty to disclose any direct or indirect financial or other interests, they may have in any matter to be considered by Council that evening.

CONFIRMATION OF MINUTES The minutes of the previous meeting are put before Council to confirm the accuracy and completeness of the record.

ACKNOWLEDGEMENTS AND OTHER MATTERS At each Council Meeting provision of 10 minutes will be made in the Agenda for the Mayor and Councillors to acknowledge and recognise achievements of local individuals and organisations; and raise matters considered important to Council.

PETITIONS Council receives petitions from citizens on various issues. Council formally accepts petitions at Council meetings.

PUBLIC QUESTION TIME This is an opportunity (30 minutes), for citizens of Merri-bek to raise questions with Councillors.

COUNCIL REPORTS Council officers prepare detailed reports, which are considered by Councillors and a Council position is adopted on the matters considered. The Mayor can invite firstly Councillors, secondly Officers, and then citizens in attendance to identify Council reports which should be given priority by the meeting and considered in the early part of the meeting.

NOTICES OF MOTION A motion which has been submitted to the Chief Executive Officer no later than 12 pm (noon) 10 business days prior to the meeting which is intended to be included in the agenda. The motion should outline the policy, financial and resourcing implications.

NOTICE OF RESCISSION A Councillor may propose a motion to rescind a resolution of the Council, provided the previous resolution has not been acted on, and a notice is delivered to the CEO or delegate setting out the resolution to be rescinded and the meeting and date when the resolution was carried. If a motion for rescission is lost, a similar motion may not be put before the Council for at least one month from the date it was last lost, unless the Council resolves that the notice of motion be re-listed at a future meeting.

FORESHADOWED ITEMS This is an opportunity for Councillors to raise items proposed to be submitted as Notices of Motion at future meetings.

URGENT BUSINESS The Chief Executive Officer or Councillors, with the approval of the meeting, may submit items of Urgent Business (being a matter not listed on the agenda) but requiring a prompt decision by Council.

CONFIDENTIAL BUSINESS Whilst all Council meetings of Council are open to the public, Council has the power under the *Local Government Act 2020* to close its meeting to the public in certain circumstances which are noted where appropriate on the Council Agenda. Where this occurs, members of the public leave the Council Chamber or Meeting room while the matter is being discussed.

CLOSE OF MEETING The Mayor will formally close the meeting and thank all present.

NEXT MEETING DATE The next Council meeting will be held on Wednesday 11 June 2025 commencing at 6.30 pm, in the Bunjil (Council Chamber), Merri-bek Civic Centre, 90 Bell Street, Coburg. The next Planning and Related Matters meeting will be held on Wednesday 28 May 2025 commencing at 6.30 pm.

WELCOME

1. APOLOGIES/LEAVE OF ABSENCE

2. DISCLOSURES OF CONFLICTS OF INTEREST

3. MINUTE CONFIRMATION

The minutes of the Council Meeting held on 9 April 2025 and the Special Council Meeting held on 16 April 2025 be confirmed.

4. ACKNOWLEDGEMENTS AND OTHER MATTERS

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	<i>Pursuant to section 3(1)(a) of the Local Government Act 2020 this report has been designated as confidential because it relates to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.</i>	
12.2	COBURG LIBRARY AND PIAZZA LOCATION	
	<i>Pursuant to section 3(1)(c) of the Local Government Act 2020 this report has been designated as confidential because it relates to land use planning information, being information that if prematurely released is likely to encourage speculation in land values.</i>	
12.3	BRUNSWICK EARLY YEARS HUB - PROJECT UPDATE	

Pursuant to section 3(1)(a) of the Local Government Act 2020 this report has been designated as confidential because it relates to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

5. PETITIONS

5.1 PETITION - INSTALL A MODAL FILTER IN ALBERT STREET, BRUNSWICK WEST

A petition (D25/207302) has been received containing 65 signatories requesting Council install a modal filter in Albert Street, Brunswick West, between Pearson and Daly Streets, preventing vehicle thoroughfare, whilst maintaining access for pedestrians and cyclists and creating additional green space.

Officer Recommendation

That Council:

1. Receives the petition, requesting Council install a modal filter in Albert Street, Brunswick West, between Pearson and Daly Streets, preventing vehicle thoroughfare, whilst maintaining access for pedestrians and cyclists and creating additional green space.
2. Refers the petition requesting Council install a modal filter in Albert Street, Brunswick West, between Pearson and Daly Streets, preventing vehicle thoroughfare, whilst maintaining access for pedestrians and cyclists and creating additional green space to the Director City Infrastructure for consideration and response.

Attachment/s

- | | | |
|---|--|------------|
| 1 | Petition - Install a Modal Filter for Albert Street, Brunswick West
Proposal - Redacted | D25/207295 |
|---|--|------------|

Proposal to install a modal filter in Albert Street, Brunswick West

Dear Merri-Bek Council,

My name is Mike, and I'm writing on behalf of a group of residents from Albert Street, Brunswick West, between Pearson and Daly streets. We are petitioning for the installation of a **modal filter** in our section of Albert St—a change we believe is vital for the safety and wellbeing of our community.

Through conversations with our neighbours, it's clear there is a deep and growing concern about the safety and amenity of Albert Street due to **speeding vehicles and rat-running**. These issues are affecting our quality of life, and many residents no longer feel safe walking, riding, or even letting children play in our neighbourhood.

In speaking directly with residents, we've seen a groundswell of support for this initiative. We have been able to contact 66 of the 76 households on Albert Street (between Pearson and Daly Streets), and **52 households—78% of those we reached—have signed in support of a modal filter** that would block through traffic while preserving access for pedestrians and cyclists.

Please refer to the attached petition signatures, which clearly illustrates this strong local backing.

The Problem

Albert Street has become a high-speed cut-through, with drivers frequently ignoring the 40km/h speed limit. This creates a dangerous environment, particularly for pedestrians, cyclists, and children.

This issue is only set to worsen with the completion of over **700 new apartments** across 3 developments, just 200 metres further up Albert Street. Without intervention, the increase in local traffic will significantly compound existing problems.

The Solution: A Modal Filter

A modal filter is a simple, effective, and widely-used tool that prevents vehicle through traffic while keeping the street open to people walking and cycling. While our immediate concern is to stop speeding and rat-running, we believe a modal filter will also deliver several wider benefits:

- **Preserve a vital cycling corridor:** Albert Street is already preferred by cyclists over Dawson and Victoria Streets, which are busier arterial roads with unprotected bike lanes.
- **Improve pedestrian and cyclist safety,** especially for children, families, and older residents.
- **Enhance liveability and green space:** A modal filter can open up opportunities for small community gathering spaces or green areas.
- **Foster innovation and community building:** allowing Merri-bek to embrace innovative solutions to resident concerns across the council ward, especially where these choices promote greening spaces and building community

Addressing Concerns About Traffic Displacement

We understand there may be concerns that a modal filter will simply push traffic to nearby streets. However, we believe it will have the opposite effect: calming traffic throughout the precinct. Currently, cars ignore 'Local Traffic Only' signs, and use Albert Street to bypass Melville Road and Dawson Street because it's fast, straight, and wide enough to encourage consistently high driving speeds (including when overtaking cyclists). A modal filter will deter this behaviour entirely. Other nearby streets, like Hunter, Smith, or Halpin, are less direct and less attractive alternatives—drivers are unlikely to use them if Albert Street is closed to through traffic.

Learning from the Past

In November 2022, a proposal for speed humps was put forward but ultimately failed due to limited community engagement and a lack of genuine consultation. We've taken a different approach. We have engaged directly with our neighbours, listened to their concerns, and built a clear consensus. The overwhelming message is that speed humps are not the best solution for our neighbourhood, but a modal filter is.

Alignment with Merri-Bek's 'Streets for People' Plan

We believe this proposal supports and reflects the goals of Merri-Bek Council's *Streets for People* plan. A modal filter on Albert Street would directly contribute to the kind of safe, green, and people-friendly environment that the plan aims to create—by improving conditions for walking and cycling, calming traffic, enhancing the streetscape, and creating opportunities for more trees and greenery.

These changes also align with the Healthy Streets Approach developed by the independent researcher Lucy Saunders, which Merri-Bek has adopted as a foundation for the *Streets for People* strategy. Our proposal touches on many of the key indicators of a healthy street—making Albert Street a place where people feel safe, welcome, and connected.

Our Vision

We want Albert Street to become a **safe, calm, and community-focused space**—a street that serves its residents, not one that functions as a high-speed shortcut.

We're asking for your support in making this meaningful change. A modal filter is not just a traffic solution—it's a step toward creating a safer, greener, more connected community.

Thank you for considering our proposal. We would welcome the opportunity to meet with council members or present our case further.

Sincerely,

Mike Benson

On behalf of the Albert Street 3055 Residents Group

[Redacted signature block]

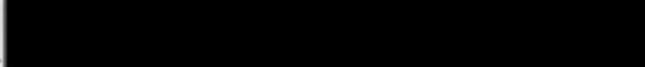


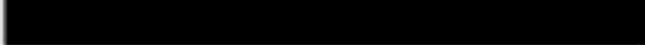
Petition to Merri-bek City Council

Date 15 April 2025

Petition Organiser Mike Benson

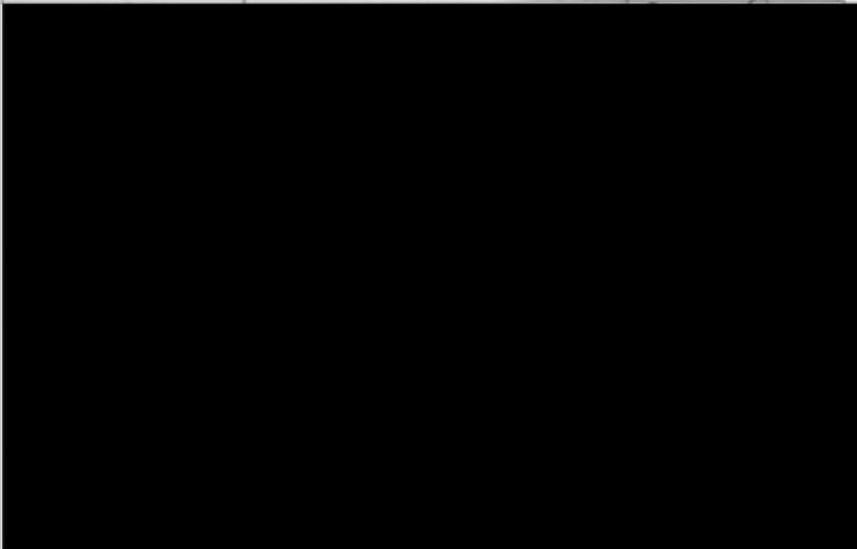
Address 

Email address 

Telephone number 

We, the undersigned, petition Merri-bek City Council to:

Install a modal filter in Albert St Brunswick West, between Pearson and Daly Streets, preventing vehicle thoroughfare, whilst maintaining access for pedestrians and cyclists and creating additional green space.

Name	Address	Signature
		

Number of signatures on page

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5.2 PETITION - OPPOSING PROPOSED DOG PARK DEVELOPMENT AT THE END OF JUKES ROAD, FAWKNER

A petition (D25/219513) has been received containing 18 signatories requesting Council abandon the proposal for a fenced dog park at the end of Jukes Road, Fawkner.

Officer Recommendation

That Council:

1. Receives the petition requesting Council abandon the proposal for a fenced dog park at the end of Jukes Road, Fawkner; and
2. Refers the petition to the Director City Infrastructure for consideration and response.

Attachment/s

- 1 Petition - Opposing the dog park at the end of Jukes Road, Fawkner - D25/219541
Redacted

OFFICIAL

Petition to Oppose Proposed Dog Park Development at the End of Jukes Road, Fawkner

To: Merri-bek City Council

We, the undersigned residents and supporters, call on Merri-bek Council to abandon the proposal for a fenced dog park at the end of Jukes Road, Fawkner, adjacent to Bababi Djinanang Grasslands.

This proposal threatens both the environmental integrity of a sensitive native habitat and the peaceful character of a cherished public space. Our objections are based on the following key concerns:

1. Disruption to Local Residents

- Residents of Jukes Road are highly concerned that recent illegal rubbish dumping will increase if the area has more exposure and visitors
- The space at Jukes Road is valued for its peace, open skies, and natural beauty. Residents use it daily for quiet walks and peaceful connection with nature.
- A dog park would bring noise (barking) and crowding, disrupting local amenity and the mental health benefits that come from spending time in a tranquil, natural place.
- Parking at Jukes Road is limited, and increased car traffic would directly impact nearby homes, bringing noise and congestion that would ruin the peaceful character of the area and affect residents' wellbeing.
- There is already a suitable dog park at Moomiba Park, less than 1 kilometre away, near existing amenities and car parking, regularly used by residents of Jukes Road.

2. Environmental Impact

- The proposed location is a vital ecological corridor connecting areas of endangered volcanic plains grassland, one of the most threatened ecosystems in Victoria, with the least degraded woodlands and riparian communities in Merri-bek.
- The area supports diverse native wildlife, including eastern long-necked turtles, blue tongued skinks, great egrets, straw necked ibis, black-shouldered kites, red-tailed black cockatoos and eastern grey kangaroos. Introducing a fenced dog park and increasing visitor activity would lead to habitat fragmentation, noise pollution, and stress on native species.
- The site is successfully regenerating outside the fenced area of Bababi Djinanang. There is an extensive plantation / seedbank of *Banksia marginata*, very rare on the Victorian volcanic plains. This plantation is sensitive, as the trees are still less than a metre tall. This revegetation should be supported by further rewilding — not disrupted by new infrastructure.

3. Better Alternatives Exist

The area around Lorne Street offers a more appropriate location. It has:

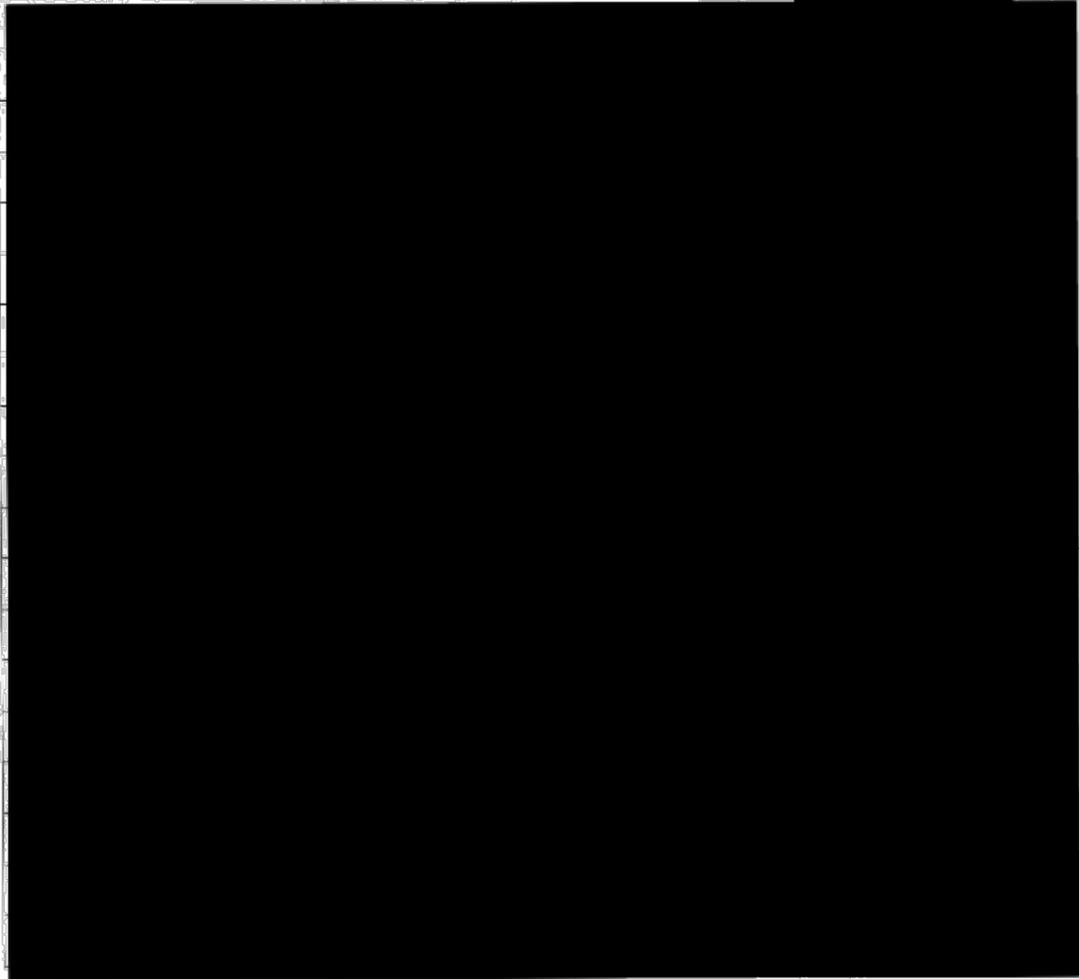
- No endangered native grassland
- Greater space and separation from homes
- More parking
- Better use of ratepayers' money as this area does not already have a dog park

OFFICIAL

We urge Council to prioritise habitat protection, peaceful enjoyment of open space, and community needs. We support responsible dog ownership and believe dog parks are valuable — but they must be in appropriate places.

By signing below, you support this petition:

Full Name	Residential Address	Signature
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5.3 PETITION - RECOGNISE COMMUNITY VOICES AND PROTECT SHARED ACCESS TO FLEMING PARK

A petition (D25/226730) has been received containing 183 signatories requesting Council:

- Recognise Fleming Park Dog Owners Association as a stakeholder and representative voice for shared park users.
- Facilitate the transparent publication of training and game schedules for organised sport use, following the example of Yarra Council (Victoria Park and Citizens Park).
- Improve perimeter fencing and safety for all park users, including pets.
- Provide a larger or additional fenced dog-friendly area that meets the needs of the local pet-owning population.
- Install lighting to improve safety for park users, especially in early mornings and evenings.
- Commit to genuine, inclusive consultation and better communication with all park users.
- Maintain access to shared green space for informal, recreational, and non-sport users- including dog owners, families, walkers, and renters.

Officer Recommendation

That Council:

1. Receives the petition relating to various matters concerning shared access to Fleming Park; and
2. Refers the petition to the Director City Infrastructure for consideration and response.

Attachment/s

- 1 Petition - Recognise community voices and protect shared access to Fleming Park - Redacted D25/226730

Petition to Merri-bek City Council
Petition: Support Inclusive and Safe Shared Use of Fleming Park
To: Merri-bek City Council
From: Fleming Park Dog Owners Association
Subject: Recognise community voices and protect shared access to Fleming Park

We, the undersigned, are a united group of ratepayers and renters who value Fleming Park as an inclusive, accessible, and much-loved green space in Brunswick East. Many of us walk and exercise our dogs, enjoy social connection, and rely on the park for wellbeing, recreation, and community interaction.

While we fully respect all park users, including local sporting clubs, we are concerned that proposed changes that would severely limit shared access to the park will negatively impact social cohesion, community connection, inclusion, and equitable use of green space.

We are alarmed by:

- The absence of clear scheduling for sporting use, which creates uncertainty and unnecessary conflict
- A fenced dog area that is too small to accommodate the growing number of dogs and residents in the area
- Injuries to pets due to inadequate perimeter fencing in shared areas
- Incidents of rudeness and exclusion, especially directed at women and older park users
- The prospect of losing access to the field/oval, even when only half of it is being used by a team training
- Sporting teams conducting unorganised or informal training sessions that displace other users without notice
- Limited communication about park planning and proposed changes
- The anticipated completion of East Brunswick Village and the increasing local population who will require greater—not reduced—access to green space
- The absence of a system like Yarra Council's publicly available sporting schedule (e.g. Victoria Park), which allows all users to plan visits respectfully and equitably
- The lack of a coordinated information flow between all users, which hinders respectful co-existence and mutual understanding
- The lack of lighting in the park, which limits our ability to safely walk dogs and use the park after hours—especially in winter months

We also highlight that animals are family, and the Victorian Government's first Pet Census confirms the central role that companion animals play in the lives of households. The data shows that 58% of adults in Victoria own pets, and parks are vital for their wellbeing and safe socialisation.

Date

MAY 03, 2025

Petition Organiser

Address

Email address

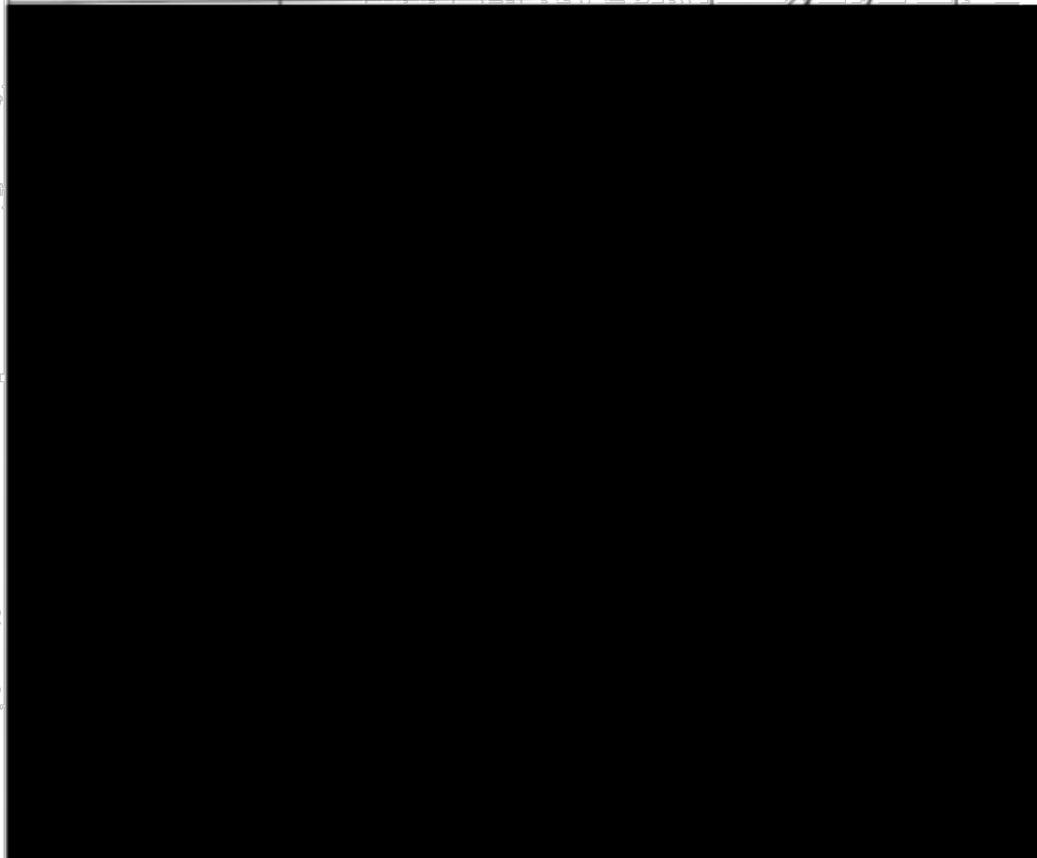
Telephone number

We, the undersigned, petition Merri-bek City Council to:

We respectfully call on Merri-bek Council to:

1. Recognise Fleming Park Dog Owners Association as a stakeholder and representative voice for shared park users.
2. Facilitate the transparent publication of training and game schedules for organised sport use, following the example of Yarra Council (Victoria Park and Citizens Park).
3. Improve perimeter fencing and safety for all park users, including pets.
4. Provide a larger or additional fenced dog-friendly area that meets the needs of the local pet-owning population.
5. Install lighting to improve safety for park users, especially in early mornings and evenings.
6. Commit to genuine, inclusive consultation and better communication with all park users.
7. Maintain access to shared green space for informal, recreational, and non-sport users – including dog owners, families, walkers, and renters.

Name	Address	Signature
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Number of signatures on page

15

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7. COUNCIL REPORTS

7.1 SAFER SPEEDS FOR LOCAL STREETS IN MERRI-BEK - TRIALS OF 30 KM/H

Director City Infrastructure, Anita Curnow

Transport

Officer Recommendation

That Council:

1. Approves officers submitting a grant application to the State Government to approve and cover all costs associated with a 30 km/h speed limit trial on local roads in select areas of Coburg, Brunswick and Brunswick East outlined in Figures 3 and 4 of this report.
2. Endorses Council officers to undertake community engagement for residents, schools, businesses and key stakeholders regarding the trial within the proposed trial areas
3. Receives a report on the evaluation of the 30 km/h speed limit trial areas following a 12-month evaluation of the trial.

REPORT

Executive Summary

Merri-bek City Council is committed to making streets safer for everyone in our community, whether they choose to walk, ride, wheel, drive or catch public transport.

Crashes in Merri-bek have increased since 2020. In 2023, the number of crashes were the highest they've been since 2015. Similar trends exist for serious injury crashes and crashes involving pedestrians and bike riders. Without interventions to reduce the crash risk of our streets, crash rates are unlikely to change.

Council is proposing to trial 30 km/h speed limits across two Merri-bek sites – Brunswick/Brunswick East and Coburg – to assess the safer speed limit's impact on road safety, active travel, and community safety perceptions. It is estimated that the reduced speed limit will eliminate 6.5 death or serious injury crashes within the trial areas for each year that the 30 km/h speed limit is in operation.

During community engagement for our 2024 Moving Around Merri-bek Strategy, our community told us that 'Safety' was the highest priority theme for them, particularly prioritising pedestrian safety. The Strategy adopts a Safe Systems approach, including managing speed on our road network and keeping our residents safe on their streets. The Moving Around Merri-bek Action Plan adopted with the Strategy includes pursuing 30 km/h trials in 2024-2025.

Speed limit reductions are one of the most cost-effective measures available to Councils to reduce the consequences of a mistake, the risk of a crash and the risk of fatal or serious injury if a crash does occur. At 30 km/h, a person walking or riding has a 90 per cent chance of surviving being hit by car – this drops to 60 per cent survival rate at 40 km/h, and only 10 per cent survival rate at 50 km/h. Impacts are greater for children and the elderly.

In neighbouring Yarra City Council, 30 km/h trials resulted in a 51 per cent reduction in all crashes, and a 70 per cent reduction in serious crashes in areas with the 30 km/h speed limits. 68 per cent of residents living in the trial areas supported 30 km/h speeds after the trials were implemented.

Subject to Council's decision, Officers will undertake community engagement on the proposal and seek approval from Department of Transport and Planning to implement the trials and will apply for funding to deliver the trials through Transport Accident Commission Safe Local Roads and Streets Program.

Previous Council Decisions

Lygon Street – Requests Arising from Community Forum - 12 March 2025

That Council:

...

4. *Advocates to the State Government for a 30 km/h speed limit trial in the Lygon Street precinct to improve road safety and improve streetscape amenity.*

...

1. Policy Context

Council Plan 2021-2025

Theme 2: Moving and living safely in Merri-bek

Strategic Objective:

To contribute to the health, safety, and security of everyone living in our diverse community and to increase safe, accessible, physically active and enjoyable ways to get around Merri-bek, especially via walking, cycling and public transport.

Relevant Strategies:

- 2.5. Facilitate substantially increased use of active transport in the community through targeted programs which include a focus on children, young people, families and older people
- 2.7. Maintain road safety focus through review of crashes and reported accidents, advocacy and continued efforts to address black spots, reduce speed limits and implement traffic calming measures including road closures

Moving Around Merri-bek Strategy (2024)

The Moving Around Merri-bek Strategy was adopted by Council in March 2024. The Strategy seeks to ensure all actions impacting the councils transport network contribute to objectives aligned to the values of Safe, Accessible, Sustainable, Healthy, Liveable, and Inclusive.

A key pillar of our commitment to adopting a Safe Systems approach is safe speeds. Safer speeds not only improve road safety, they contribute to creating more accessible, sustainable, healthy, liveable and inclusive streets for everyone, especially our most vulnerable residents such as children and the elderly. The proposed 30km trials contribute to achieving the following specific objectives of the Moving Around Merri-bek Strategy (2024).

- Create streets where everyone feels safe.
- Reduce the frequency and severity of crashes on our roads.
- In line with Victoria's Towards Zero Strategy, adopt a Safe Systems approach to road safety
- Create a transport system in Merri-bek that allows everyone to meet their daily needs and to fully participate in our community.
- Support our community to reduce their transport emissions as rapidly as possible
- Reduce air and noise pollution generated from vehicles.

- Create streets and public spaces that encourage physical activity and socialisation amongst local communities.
- Create high-quality and well-designed streets and places that are vibrant and well-loved by all.
- Work collaboratively with our community and stakeholders to improve our transport system.
- Work to make our streets and public spaces are safe for all people and inclusive of all genders, backgrounds, and abilities.

The 30 km/h trials are included in the endorsed Moving around Merri-bek 2024 - 2025 Action Plan under the Value 'Safe' –

By June 2025, Council will have:

- Taken and created opportunities to advocate for safety outcomes relating to introducing 30 km/h speed zones (inclusion in Victorian Speed Zoning Guidelines and roll-out in pilot area of Merri-bek).
- Advocated to the State Government and TAC to fund a 30 km/h trial in an identified area of safety concern.

The Merri-bek Disability Access and Inclusion Plan 2022-2026

Under the objective of *Equal access to all areas of community life* Council has the following actions:

- Council will improve the accessibility of Council buildings, infrastructure and open spaces and go beyond principles of Universal Design, whenever possible, so they can be accessed by everyone.
- We will improve the accessibility of Council's information, programs and services to increase the participation and social inclusion of people with disability.

Universal Design asks us to look beyond traditionally accepted minimum standards and adopt new approaches that better serve the needs of everyone in the community.

Reduced speed limits of 30 km/h will assist in making our streets are safer, more accessible and inclusive.

Living and Ageing Well in Merri-bek Framework

The Living and Ageing Well in Framework establishes principles and practices which inform relevant, timely and responsive action across all areas of Council to support older people in our municipality.

Strategic Indicators:

1. Outdoor environments support the needs of all to enjoy regardless of physical capacities
2. Older people are able to get around the municipality as they need and feel safe

Zero Carbon Merri-bek Strategy

Council's Zero Carbon Merri-bek 2040 Framework outlines the community vision and strategic directions for the transition to zero carbon in Merri-bek by 2040. In 2019/20, transport was recorded to contribute 17 per cent of all carbon emissions in the Merri-bek local government area and 13 per cent were from private motor vehicles.

Council resolved in December 2021 to adopt an interim target towards the Zero Carbon by 2040 goal of a reduction of emissions by 75 per cent by 2030.

The Ride & Stride program has been a key deliverable under the Zero Carbon Merri-bek Strategy. Since 2021 the Ride & Stride program has been delivered in 16 local schools, with a key objective being to support safer streets near schools.

Victorian Road Safety Strategy 2021-2030

The Victorian Road Safety Strategy 2021-2030 commits to eliminating death from Victorian roads by 2050, with the first step of halving road deaths by 2030. The strategy outlines the following objectives:

- Ensure all Victorians are safe and feel safe on and around our roads.
- Halve road deaths and progressively reduce serious injuries by 2030.
- Embed a culture of road safety within the Victorian community.
- Deliver a suite of initiatives that are achievable and have an impact in the short term, but also prepare Victoria for the future.

In the Action Plan for 2021 to 2030, the following actions have been identified by the Victorian Government to improve safety and reduce speed across the network:

- We'll update our Speed Zoning Policy and technical guidelines. The updated policy and guidelines will be informed by the feedback from local governments and communities.
- Through the Safe Local Roads and Streets Program we're working with local governments, as road managers and key partners in driving road safety, to fund and support projects that improve local road safety.
- Responding to keen interest from local governments and their communities, we'll consider proposals for speed limit reductions in areas with significant interface between pedestrians and bicyclists and vehicles.

Infrastructure Victoria Draft 30-year Strategy 2025-2055

Infrastructure Victoria is an independent advisory body with 3 functions:

1. preparing a 30-year infrastructure strategy for Victoria
2. advising the government on specific infrastructure matters
3. publishing research on infrastructure-related issues.

Infrastructure Victoria aims to take a long-term, evidence-based view of infrastructure planning.

Recommendation 14 of the strategy states:

Make local streets safer for children and communities –

Reduce speed limits to 30 km/h on local streets, starting in places that children often visit including around schools, playgrounds, childcare centres and kindergartens.

2. Background

Our commitment to Vision Zero and a Safe Systems approach to speed in Merri-bek

Both the National and Victorian Road Safety Strategies aims to halve the number of road deaths and reduce serious injuries by at least 30 per cent by 2030, on the way to Vision Zero by 2050.

The Safe System philosophy is based on four principles:

1. People make mistakes that can lead to road crashes
2. The human body has a limited physical ability to tolerate crash forces before harm occurs
3. A shared responsibility exists amongst those who plan, design, build, manage and use roads and vehicles and those who provide post-crash care to prevent crashes resulting in serious injury or death
4. All parts of the system must be strengthened to multiply their effects; so that if one part fails, road users are still protected.

Speed limit reductions are one of the most cost-effective measures available to Council’s to reduce the consequences of a mistake, the risk of a crash and the risk of fatal or serious injury if a crash does occur.

Implementing safer speeds are a key measure to reducing death and serious injury on our transport network.

Evidence for 30 km/h Safety Impacts

Research shows that 30 km/h is the maximum speed before a healthy adult is likely to be seriously injured or die in the event of an impact with a vehicle, as shown in Figure 1.

At 30 km/h, a person walking or riding has a 90 per cent chance of surviving being hit by car – this drops to 60 per cent at 40 km/h, and only 10 per cent at 50 km/h.

Within the context of Merri-bek’s current local road network, at 30 km/h 9 in 10 local residents will survive a crash; at 40 km/h, 6 in 10 local residents will survive.

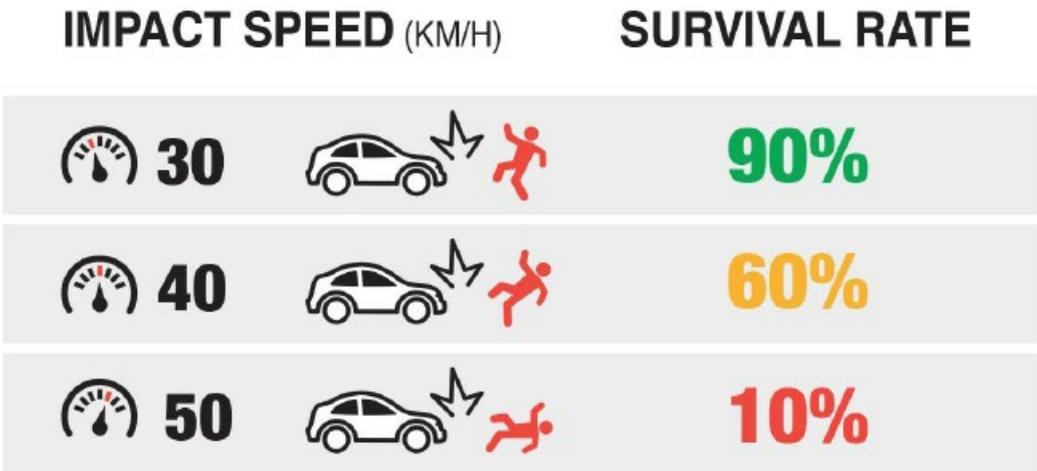


Figure 1 Graphic illustrating reduction in survival rate for pedestrians as vehicle speed increases

Disproportional Safety Impacts for Vulnerable Road Users

When considering vulnerable road users outside of simple ‘pedestrian’ or ‘cyclist’ profiles, we know that road trauma disproportionately affects children, the elderly and those with impaired mobility in our community.

Land transport accidents are the leading cause of death in Australia for children aged 1 to 14.

People aged 60 and over have made up 50 per cent of pedestrian deaths and 34 per cent of hospitalisations over the past decade in Victoria.

40 km/h Speed Limit Roll-Out in Merri-bek

In 2023 and 2024, Council introduced 40 km/h speed limits to all council-managed local roads. Prior to this, there were a small number of local areas that had already had 40 km/h limits for over a decade.

When Council has previously implemented safer, lower speeds in Merri-bek, we’ve received a high level of community support and acceptance.

During the 2023/2024 40 km/h roll out, Council sent approximately 85,000 letters to residents informing them of the change in speeds from 50 km/h to 40 km/h. Council received 75 enquires from residents (0.0008 per cent of all notified). Of the 75 enquiries, only 18 per cent opposed the reduction in speed (13 enquiries). Conversely, 25 per cent requested for 30 km/h limits and higher order roads to be included in the speed reduction roll-out.

The two areas selected for the 30 km/h trials have had 40 km/h limits for over 10 years, pre-dating the recent wider 40 km/h roll-out. Selecting existing 40 km/h areas formed part of the key selection criteria in identifying proposed 30 km/h trial areas to ensure a reasonable and timely transition for our community.

Victorian Speed Zoning Guidelines and Merri-bek Advocacy for 30 km/h

Through our Moving Around Merri-bek Strategy, and our previous Moreland Integrated Transport Strategy, Council has consistently advocated to the Department of Transport and Planning (DTP) for consideration of 30 km/h speed trials to be considered in targeted areas of Merri-bek.

Although streets included in the trial areas are all council-managed, 30 km/h speed limit, changes within these areas still require State Government approval. This is due to the current Victorian Speed Zoning Guidelines not including 30 km/h speed limits. As a result, Councils may only implement 30 km/h in their municipality under trial conditions.

To ensure appropriate identification, implementation and evaluation of 30 km/h speed limit trials in Merri-bek, Council commissioned Monash University Accident Research Centre to undertake a Pre-Trial Study, which was submitted to Council and DTP in June 2022. The recommendations from this study have been incorporated into our proposed trials.

A request to amend the Speed Zoning Guidelines was part of Merri-bek's submission to the Victorian Government Road Safety Partnership's Parliamentary Inquiry into Vulnerable Road User Safety in 2023. The Partnership is made up of the Transport Accident Commission, Victoria Police, Department of Transport and Planning (Road Safety Victoria), Department of Justice and Community Safety and the Department of Health.

Council's submission to the 2023 Parliamentary Inquiry advised:

- The most important factor in reducing injuries to vulnerable road users are travel speeds, and resultant impact speeds, especially at those locations where the mix of vulnerable road users is high

The Victorian Government's recently released Road Safety Action Plan responds to this advocacy with the following actions:

- We'll update our Speed Zoning Policy and technical guidelines. The updated policy and guidelines will be informed by the feedback from local governments and communities.
- Responding to keen interest from local governments and their communities, we'll consider proposals for speed limit reductions in areas with significant interface between pedestrians and bicyclists and vehicles.

Findings from City of Yarra 30 km/h Trials

In 2018, Yarra City Council implemented a 30 km/h trial in two locations within Fitzroy and Collingwood.

Yarra City Council resolved to make the existing trial permanent in 2019. As 30 km/h is not included in the Victorian Speed Zoning Guidelines, the speed limit has remained in place since 2019 as a trial. In November 2023, Yarra Councillors endorsed a plan to expand the existing 30 km/h speed zone to a larger area of Fitzroy and Collingwood, and extend the trial for another 2 years.

The trial areas in Yarra were selected based on the following factors:

- Areas with a high mix of pedestrians, cyclists and motor vehicles
- Areas with a high potential for conflict between vehicles and vulnerable road users

- Areas with a high number of crashes on 40 km/h local streets involving vulnerable road users
- Areas with a number of schools, education facilities, community uses, businesses, key public transport routes and high levels of street activation and socialisation
- Areas with strategic and locally important bicycle routes

Community Sentiment over the trial significantly increased:

- Immediately following the 2018 trial, 51 per cent of the community supported the 30 km/h speed limits, an increase from pre-trial (from 47 per cent).
- In 2023, surveys found this had increased to 68 per cent of participants living in the current trial area supporting 30 km/h speeds on streets they lived on
- Similarly, surveys found 59 per cent of participants living or working within the proposed trial expansion zone supported 30 km/h on streets they lived on
- These findings are consistent with a global body of evidence, which finds support for lower speeds increases post-implementation.

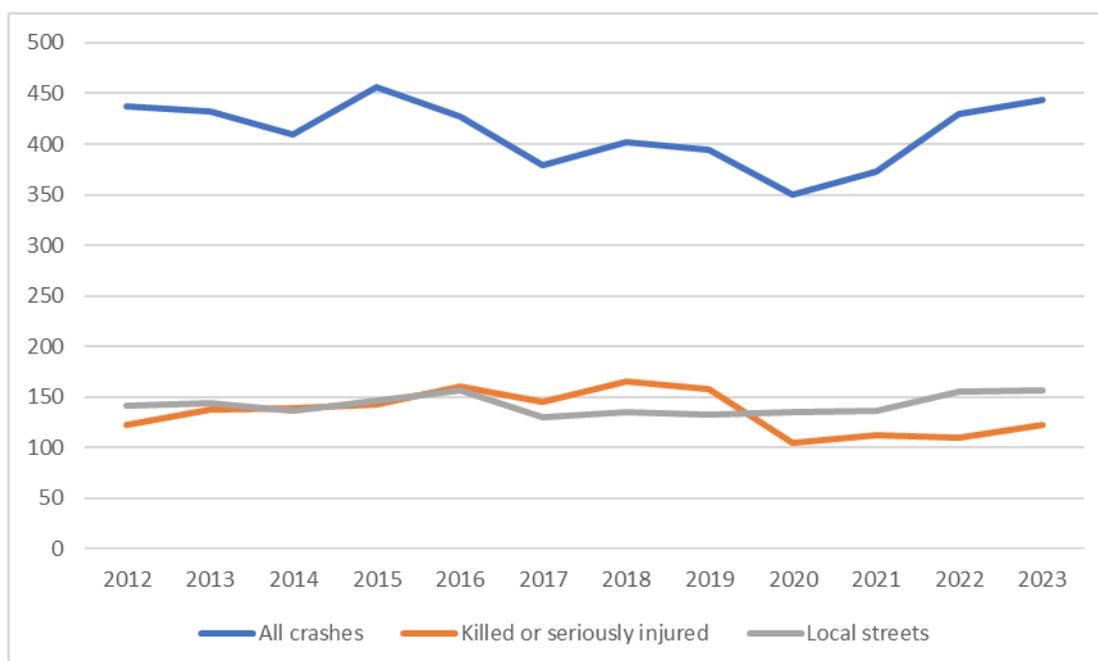
A review of the Victorian Government’s Road Crash Information System shows that in the five years since the trial began in 2018 (compared to the five years leading up to the trials):

- There was a 51 per cent reduction in all crashes, and a 70 per cent reduction in serious crashes in areas with the 30 km/h speed limits
- Comparatively, in the areas that have retained the 40 km/h speed limits, there was a 10 per cent reduction in all crashes, and an 11 per cent reduction in serious crashes

Crash Statistics in Merri-bek

In 2023, there were 444 recorded crashes in Merri-bek. This includes 2 fatalities, 120 serious injuries requiring hospitalisation, and 322 crashes included an ‘other’ type injury. That same year, 75 bike riders and 53 pedestrians were involved in a crash. On local streets managed by Merri-bek, there were 157 crashes in 2023.

Crash trends, as shown in *Figure 2*, have remained largely stagnant in the last decade. Some downward trends were evident before 2020. However, crashes have increased in most categories and are now back to levels seen a decade ago.



Without interventions to reduce the crash risk of our streets, crash rates are unlikely to change.

Merri-bek 30 km/h Trials – Areas and Approach

We are proposing to trial 30 km/h speed limits across two Merri-bek sites – Brunswick/Brunswick East and Coburg – to assess safer speed limit's impact on road safety, active travel, and community safety perceptions.

Using State Government crash reduction factors, the proposed 30 km/h trial areas are estimated to eliminate 6.5 death or serious injury crashes within the trial areas for each year that the 30 km/h speed limit is in operation.

Findings from this trial will provide evidence on whether safer speed limits improve safety in Merri-bek for vulnerable road users, reduce crashes, injuries and fatalities, and create safer, more liveable local streets for local residents. The two trial sites will contribute to a growing body of evidence that can inform broader policy changes to speed zoning in Victoria and Australia.

Recent research has demonstrated that community support for 30 km/h is strongest in existing school zones, extended school zones, shopping strips, dining strips, inner city residential streets, and suburban residential streets.

The two trial areas have been strategically selected to serve as unique case studies, providing insights into the impact of lower speed limits in different urban contexts and with different community approaches. By considering areas that contain streets with different movement and place functions, the trial will provide a clearer understanding of how safer speed limits influence safety, accessibility, and the overall role of streets in our community.

These differing areas and approaches can help us evaluate how safer speed limits impact different precinct types and help inform a considered approach for any future roll-out implementing safer speeds in Merri-bek.

The 30 km/h speed limit trial applies only to selected local streets within the defined areas of Brunswick, Brunswick East, and Coburg. Speed limit changes on other roads, including arterial roads, are outside the scope of this proposal.

Coburg - Schools Precinct

Area:

The Coburg trial area is bounded by Gaffney Street (north), Bell Street (south), Sussex Street (east), and Sydney Road (west), as shown in *Figure 3*.

It represents a typical suburban environment with primarily local residential streets. This area centres around one of Merri-bek's largest public primary schools, Coburg North Primary. It also borders two more of our largest public schools, Coburg Primary and Coburg High School, with many families who attend these schools residing in and/or commuting through the trial area on their journeys to school.

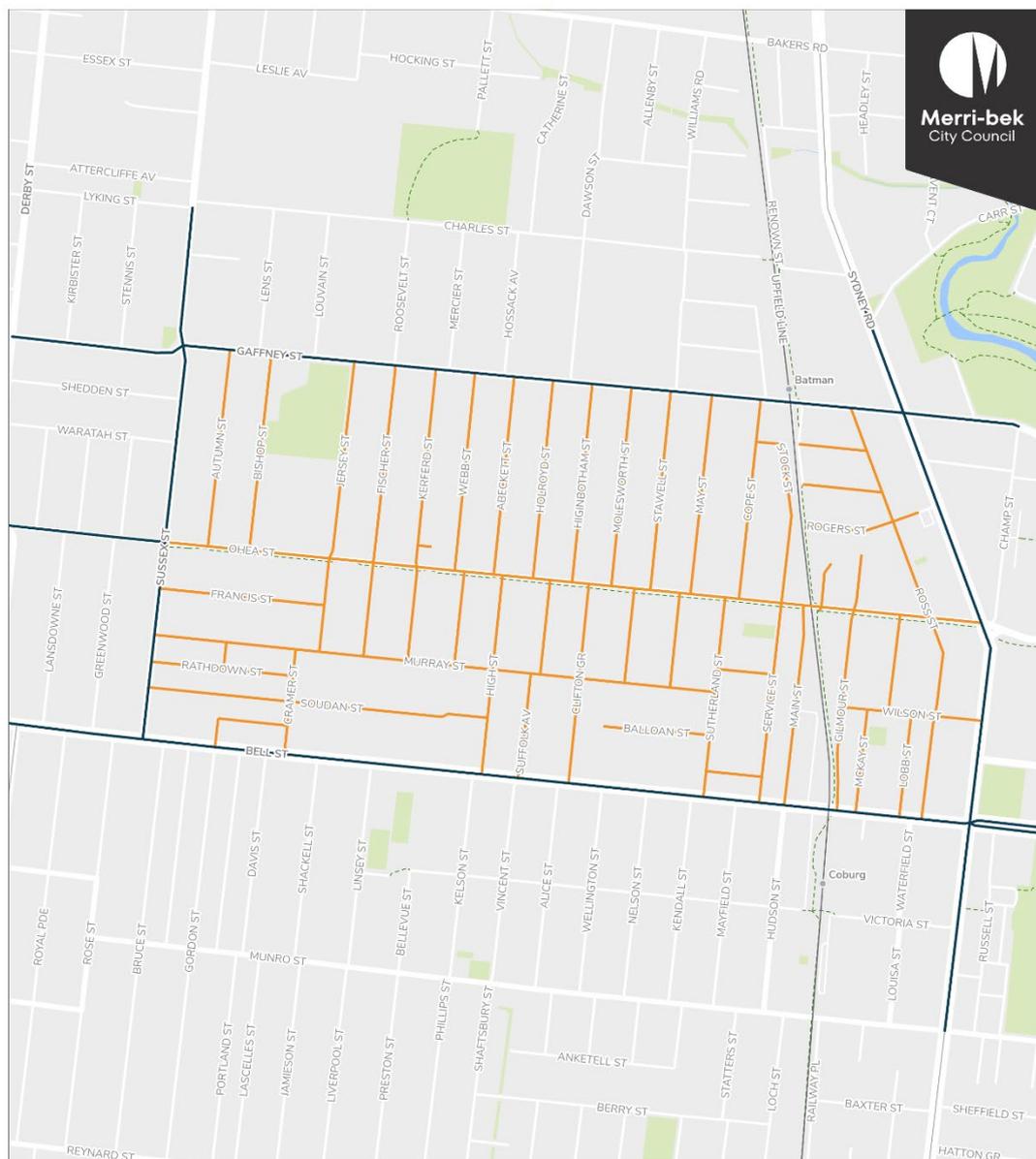
Approach:

There is a growing level of demand in our community, nationally and globally, to see safer speeds around schools, kindergartens and child-care centres. Two of Merri-bek's largest public primary schools within and bordering this trial area are Coburg North Primary and Coburg Primary, who are both actively engaged in Council's Ride & Stride program. Through our Ride & Stride surveys, we know that the key parent concern preventing children walking or riding to school is car traffic and speed near the school gate.

There are an increasing number of parent-led community campaigns in Merri-bek centred around improving children’s safe travel to school in Coburg, such as ‘Safer Streets, Coburg Kids’, ‘Safer Walking and Riding for Murray Road’, and a history of joint Council and Community advocacy to DTP for safer speeds on Bell St for Coburg High School and Coburg Primary School students.

Crash History:

Between 2019 and 2023, the Coburg trial area has recorded 36 crashes, including 6 serious injury crashes. Note that multiple crashes may be found at the one ‘dot’ on the map. These numbers only include reported crashes and not near misses.



30km/h trial - Coburg
Merri-bek City Council

Legend

- Proposed 30km/h
- No change to speed limit



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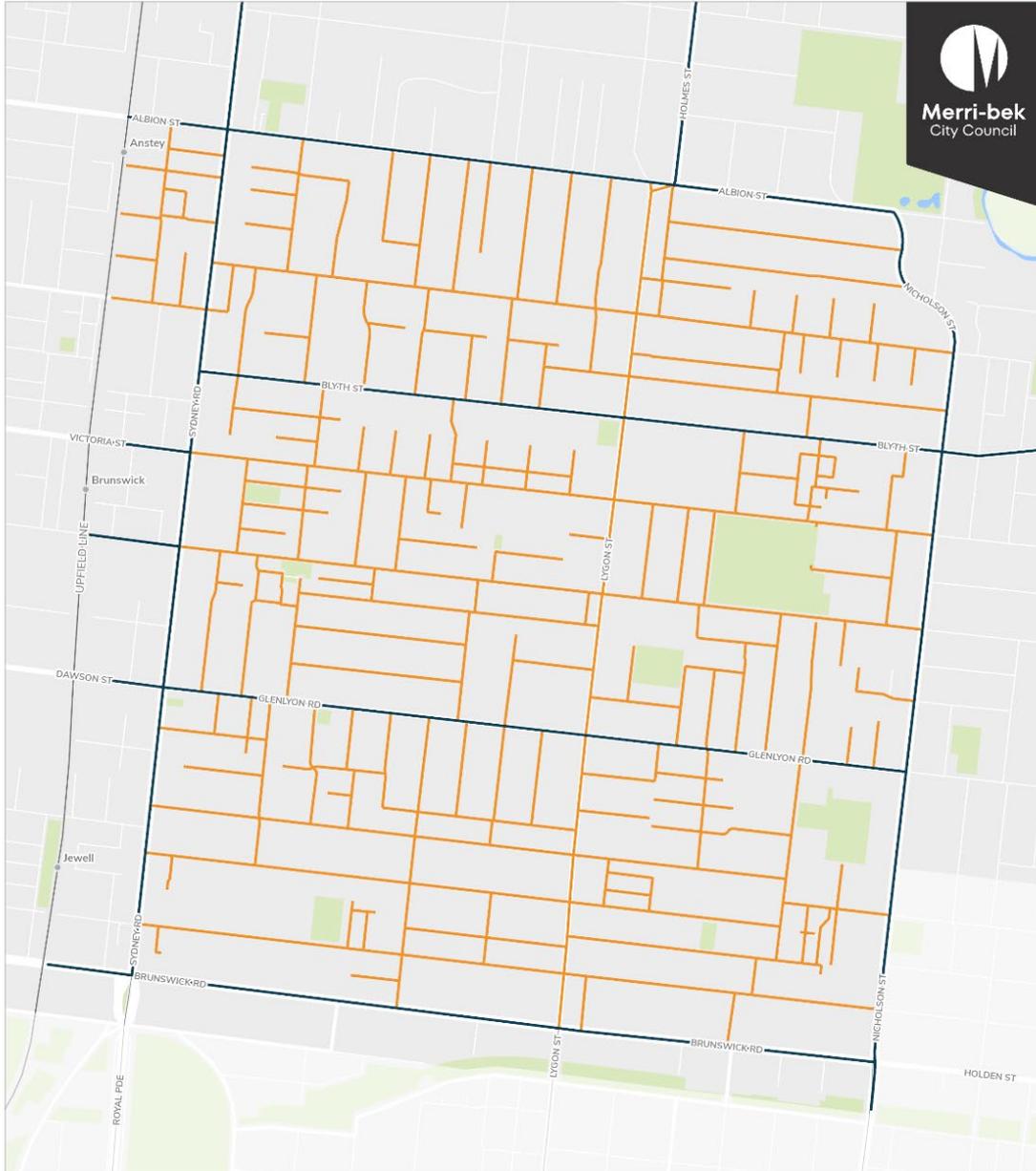


Figure 3 Coburg, proposed 30 km/h trial area

Brunswick and Brunswick East - Activity Precinct

Area:

The Brunswick trial area is bounded by Albion Street (north), Brunswick Road (south), Sydney Road (east), and Nicholson Street (west). It is an activity precinct with a mix of residential, commercial, and community spaces, and is centred around the Lygon St activity area.



30km/h trial - Brunswick

Merri-bek City Council

Legend

- Proposed 30km/h
- No change to speed limit



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Figure 4 Brunswick, proposed 30 km/h trial area

Approach:

The selected area in Brunswick/Brunswick East is a densely populated area with a high mix of pedestrian, cyclist and driving activity, with a mix of residential, commercial, and community spaces. In local streets where cars, cyclists, and pedestrians share space, lower speeds improve reaction times and allow drivers to stop before impact.

Crash History:

Between 2019 and 2023, the Brunswick trial area has recorded 152 crashes involving, including 44 serious injury crashes.

3. Issues

Community impact

Any implementation of lower speed limits in Merri-bek is likely to draw a wide variety of community support and criticism. There are a number of common concerns that community members may have to any proposed changes to speed limits in their local areas.

Impacts on travel time

- There has been an extensive amount of research that shows that 30 km/h speed limits have negligible impacts on travel times.
- In urban areas, factors like traffic congestion, time spent at intersections, and parking delays have a greater influence on travel time than the speed limit itself.
- Global research has also shown that 30 km/h limits allowed the road system in a number of cities to accommodate cars more efficiently, resulting in faster overall travel times.
- Longer driving trips will largely take place on arterial roads, where speed limits are typically higher, so the impact of 30 km/h zones on overall travel time for longer journeys is likely to be minimal.

Impacts on local business trade

- Safer speed zones can generate more trade for local businesses, as people prefer to linger in street environments with calmer, quieter traffic. Many people enjoy taking the opportunity to walk or ride, or the calmer experience of parking and pulling out of car parks in safer speed zones.
- Yarra City Council has found no notable difference in the level of traffic or visitation to their trial areas as a result of the 30 km/h zones.

Impacts on carbon emissions

- In general, lower speeds like 30 km/h can lead to reduced emissions compared to 40 km/h, primarily due to reduced acceleration/deceleration, reduced braking and improved fuel efficiency, especially in urban areas.
- A review of 30 km/h speed limits in Europe (generally reduced from 50 to 30 km/h) found that emissions reduced by an average of 18 per cent.

The changed to speed limits and any associated impact to emergency response times or public transport operations will be considered as part of our key stakeholder engagement. These services will be consulted during the trial.

Monitoring and Evaluation

An evaluation framework will be developed to assess the viability and effectiveness of the speed limit changes with key stakeholders (including TAC and DTP). This framework will be designed to review the effectiveness of 30 km/h speed limits in creating safer streets for vulnerable road users, and will inform any possible future roll-out of 30 km/h speed zones in Merri-bek and future review of the Victorian Speed Zoning Guidelines.

Factors that will be considered, but not limited to, within the evaluation framework for the trial areas before, during and after are:

- Evidence based Road Safety Principles
- Change in crash, injury and fatality risk
- Vehicle speeds
- Community sentiment
- Travel times
- Visitation to local businesses
- Active Travel mode share
- School active travel mode share
- Local resident, school and business case studies

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

Key sections in the Charter that are relevant to this report are freedom of movement (section 12) and taking part in public life (section 18).

The actions proposed in this report contribute positively to freedom of movement by creating safer streets for Merri-bek residents to walk, ride, wheel or drive around, and reducing fatality and injury rates in the instance of a collision.

It is considered that the right to freedom of movement has not been unreasonably limited by the recommendations in this report.

4. Community consultation and engagement

We will seek to engage the affected residents, schools, businesses and other key stakeholders within the proposed trial areas prior to, during, and following the 12-month trial.

This engagement will be conducted under the following objectives:

1. Directly inform affected residents, schools, businesses and key stakeholders within the trial areas on the changes to speed limits and associated timelines
2. Educate the wider community and visitors to the areas on the rationale of the speed limit changes and safety impacts
3. Gather feedback from residents, schools, businesses and key stakeholders within the trial areas before, during and after the 12-month trial to contribute to evaluating the speed limit's long-term viability and effectiveness

All affected stakeholders will receive hard copy notification of the trial before commencing, along with a baseline survey to understand community perceptions of safety and speed on local streets (hosted through Conversations Merri-bek or hard copy by request). Post-trial surveys and notification of next steps will be distributed to all affected stakeholders at the conclusion of the trial.

Opportunities for in person engagement pre and post-trial to discuss the trial with affected community members will be considered and held at key locations, such as local schools or key activity areas.

We will engage with the communities directly affected within the trial area via a mix of hard copy, online (through Conversations Merri-bek) and in-person engagement opportunities. A detailed communication and engagement plan will be developed in line with our Community Engagement Policy.

Affected persons rights and interests

Before making a decision that affects a person's rights, Council must identify whose rights may be directly affected and provide an opportunity for that person (or persons) to convey those views regarding the effect on their rights and consider those views.

Residents and businesses within the proposed trial areas will be able to provide their feedback on the trial at three different points; before the trial, during, and after 12 months of the trial being in place. Another opportunity will then be available whether to continue with the trial when the 12-month evaluation is presented to Council.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

There is no direct impact this trial will have on the council budget, as the resources to prepare and undertake the trial are proposed to be delivered via a Transport Accident Commission (TAC) grant.

Subject to Council and DTP approvals, Council will seek funding through the TAC Safe Local Roads and Streets Program to cover all costs associated with the trials.

This includes costs relating to:

- Infrastructure design and implementation
- Communications and engagement
- Monitoring and evaluation
- Staff Resourcing

7. Implementation

Should Council endorse the proposed trial locations, officers will seek required approvals from DTP and funding from TAC to implement the trials.

Councillors and community will be updated on progress and informed of implementation if approved and funded.

Engagement prior, during and after 12 months of the trial will be undertaken as outlined in Section 4 of this report.

Existing 40 km/h speed limit signs and road markings will be replaced by 30 km/h speed limit signs and road markings. Any additional signage or road marking to support adherence to the revised speeds will be considered during the trials as needed, subject to funding.

Any additional traffic calming infrastructure to support adherence to the revised speeds will be considered during the trials as needed, subject to funding.

Evaluation of the trial will be undertaken after 12 months of implementation and a report subsequently prepared for Council on the trial results.

Attachment/s

There are no attachments for this report.

7.2 GENERAL (AMENDMENT) LOCAL LAW 2025

Director City Infrastructure, Anita Curnow

Amenity and Compliance

Officer Recommendation

That Council:

1. Pursuant to section 73(3) of the *Local Government Act 2020*, publishes a notice that states
 - (a) the objectives of the proposed local law, and
 - (b) the intended effect of the proposed local law; and
 - (c) that a copy of the proposed local law is available for inspection –
 - (i) at the Council's office; and
 - (ii) on the Council's internet site; and
 - (d) the community engagement process that applies in respect of the making of the local law (as outlined in section 4 of this report). The community engagement period will be from 15 May 2025 to 4 June 2025.
2. Receives a further report following the community consultation to consider the making of the local law.
3. Authorises the Chief Executive Officer to make minor changes to the proposed local law before community engagement commences, where changes are required for correctness, clarity, formatting or the like.

REPORT

Executive Summary

The General Local Law 2018 was adopted at the 6 December 2017 Council meeting and came into effect on 1 February 2018. The Local Law aims to ensure a safe, healthy environment, protect public spaces, regulate premises, vehicles, and animals, manage nuisances, and maintain peace and good governance in the municipality.

Council has received numerous reports from community members about a current issue involving the feeding of wild birds which has the potential to lead to health concerns, property and infrastructure damage, a decline in community aesthetics and impact the enjoyment of people's place of residence. The current Local Law does not include adequate provisions to address the issue, and therefore this report seeks to amend the existing local law to introduce new provisions that will enable enforcement action to be taken against those that breach the local law.

The purpose of this report is to seek Council's endorsement of community consultation on the General (Amendment) Local Law in accordance with the *Local Government Act 2020*.

A summary of the proposed amendments is attached to this report, outlining the purpose, specific clauses and suggested wording (Attachment 1). The proposed amending Local Law (Attachment 2) outlines the changes as reviewed by Russell Kennedy Lawyers. Specifically, the following items have been included as proposed amendments for consideration of Council:

Part 5 – Animals

- Inclusion of feeding of birds on private property
- Inclusion of Power of Authorised Officers - feeding of birds on public land

- Inclusion of definition of private property
- Amendment to Schedule 1 Penalties fixed for infringements

On Council's endorsement, a community engagement process will commence. The results of the community engagement process will be presented to Council for consideration to make the Local Law. The proposed amending local law will be certified from a qualified lawyer (Russell Kennedy Lawyers) in accordance with section 74(1) of the *Local Government Act 2020*.

Previous Council Decisions

Adoption of the General Local Law 2018 – 6 December 2017

That Council:

1. *Adopts the Moreland City Council General Local Law 2018 at Attachment 1 to this report subject to the following amendments:*
 - a) *Amend Clause 10.15:*
 - *In the first sentence replacing 'A person must minimise the risks' with 'a person must seek to eliminate the risks';*
 - *Replacing the words 'stones or other refuse or pollutants' in part (a) with 'or stones';*
 - *Replacing the words 'or other waste' in part (b) with 'other waste, refuse or pollutants';*
 - b) *Change the penalty in Schedule 1 of the General Local Law for 10.15 from 10 to 20 penalty units.*
 - c) *Add into the definition of mature tree:*
 - *(c) has multiple trunks with a combined diameter that is 400 mm or wider measured 1.2 metres above ground level; or*
 - d) *After clauses 5.1 and 5.2 Keeping of animals, insert the words as a note: 'clauses 5.1 and 5.2 don't apply to a person who has a permit under the Wildlife Act to keep a native animal'.*
2. *Adopts the Prescribed Area – Possession and Consumption of Liquor in Public Places.*
3. *Determines that the Moreland City Council General Local Law 2018 shall come into effect on 1 February 2018, noting that the current General Local Law 2007 expires on 31 January 2018.*
4. *Revokes on 1 February 2018 the Environmental and Civic Assets Local Law 2014.*
5. *Delegates to the Director City Infrastructure the powers, duties and functions to amend any identified formatting or clerical errors prior to Gazetting the proposed General Local Law 2018.*
6. *Gives notice in the Government Gazette any by public notice specifying:*
 - a) *The title of the local law;*
 - b) *The purpose and general purport of the General Local Law 2018; and*
 - c) *That a copy of the General Local Law 2018 may be inspected at Council offices.*
7. *Sends a copy of the General Local Law 2018 to the Minister for Local Government.*
8. *Thanks submitters for their contribution and notifies them of the decision.*

1. Policy Context

The *Local Government Act 2020* (the Act) provides the legislative framework for Councils to make local laws, including a local law which amends an existing local law. Section 71(1) of the Act states *A Council may make local laws for or with respect to any act, matter or thing in respect of which the Council has a function or power under this Act or any other Act.*

Council is responsible for making and administering its Local Law. Sections 73 and 74 of the *Local Government Act 2020* sets out the procedure for making a Local Law. This requires Council to make a new local law in accordance with its community engagement policy and to publish a notice stating the objectives and intended effect of the proposed local law.

In making a new local law, the Council must publish a notice stating –

- a) the objectives of the proposed local law
- b) the intended effect of the proposed local law
- c) that a copy of the proposed local law is available for inspection at Council's offices and on Council's internet site, and
- d) the community engagement process that applies in respect to the making of the local law.

Council Plan Alignment – Theme 2: Moving and living safely in Merri-bek; Theme 3: A healthy and caring Merri-bek; Theme 4: Vibrant spaces and places in Merri-bek and Theme 5: An empowered and collaborative Merri-bek.

This Local Law ensures the well-being and health of those living in our diverse community is protected, community members have access to attractive spaces and places and participation in decision making is encouraged and supported. An as-needed review of the local law is undertaken to ensure effectiveness and response to community needs.

2. Background

The General Local Law 2018 was made under the provisions of section 111(1) of the *Local Government Act 1989* and section 42 of the *Domestic Animals Act 1994*. The local law came into effect on 1 February 2018 and is valid until 31 January 2028.

Section 71(6) of *Local Government Act 2020* states that a local law made under the *Local Government Act 1989* continues in force and may be amended or revoked by a local law made under the *Local Government Act 2020*.

The objectives of the General Local Law 2018 are to:

- a) promote a physical and social environment that is accessible and free from hazards to health, in which the residents of and visitors to the municipality can enjoy a quality of life that meets the general expectations of the community;
- b) protect the use of public places and control activities in, on or near them;
- c) provide for safety in public places;
- d) control, protect and conserve the environment and maintain the amenity of the municipality;
- e) provide for, control and manage the use of premises and vehicles in particular circumstances;
- f) regulate the number and manner of keeping of animals;
- g) control, prevent and abate nuisances; and
- h) provide for the peace, order and good governance of the municipality.

The *Local Government Act 2020* (the Act) provides the legislative framework for Councils to make local laws. Section 71(1) of the Act states:

A Council may make local laws for or with respect to any act, matter or thing in respect of which the Council has a function or power under this Act or any other Act.

Council has received numerous reports from community members about the feeding of wild birds which has the potential to lead to health concerns, property and infrastructure damage, a decline in community aesthetics, and impact the enjoyment of people's place of residence. The current Local Law does not include adequate provisions to address the issue, and therefore this report seeks to amend the existing local law to introduce new provisions which will enable enforcement action to be taken against those that breach the local law.

The purpose of this proposed amendment local law is to specifically address the issue with the feeding of birds. The impact of this issue is significant on community members and therefore requires prompt intervention which unfortunately cannot wait until the preparation of a new local law.

A local law must be relevant and responsive to the community's needs. Council plans to commence a more comprehensive and holistic review the existing local law in August 2025, with adoption of a new local law expected to be in mid-2026.

3. Issues

Council has the ability to amend the existing Local Law and make new local laws in response to community needs. The issue with feeding of wild birds is one that can be addressed through an amendment local law. Council has obtained legal advice from Russell Kennedy Lawyers which states that the provisions in the existing Local Law are insufficient to deal with this current issue.

The following amendments are proposed to the General Local Law:

- 1) Immediately after clause 5.13 of the General Local Law insert:
Feeding of birds on private property

5.14 An occupier of private property must not:

- (a) feed or continue to feed; or
- (b) allow or cause to be fed any bird on that private property if:
 - (i) that bird is not ordinarily kept on the private property; and
 - (ii) the circumstances in which the bird is fed are likely to or do interfere with the material comfort of any other person or with a person's use and enjoyment of land they own or occupy.

Power of Authorised Officers - feeding of birds on public land

5.15 An Authorised Officer may direct a person on any road, public place or Council land not to:

- (a) feed or continue to feed; or
- (b) allow or cause to be fed any bird on that road, public place or Council land.

5.16 A person to whom a direction by an *Authorised Officer* under Clause 5.15 must comply with that direction.

- 2) In clause 1.10 of the General Local Law, immediately after the definition of "prescribe" insert:

Private property means land other than *Council land* and land occupied, managed or controlled by a public authority.

- 3) Set the infringement penalty units for new clauses 5.14 and 5.16 at 3.5 penalty units which is consistent with the other penalty units in Part 5 of the General Local Law. It should be noted that penalty units set under a local law made under the *Local Government Act 1989* are capped at \$100 per penalty unit, penalty units set under a local law made under the *Local Government Act 2020* are at the value determined each year by the State Government through the Calculated Penalties Table and the penalty unit value process.
- 4) In the table in Schedule 1 to the General Local Law, immediately after the penalty fixed for “5.13 Conduct a commercial enterprise without a permit” insert:

5.14	Feeding of birds on private property	3.5
5.16	Failure to comply with a direction given by an <i>Authorised Officer</i> under clause 5.15.	3.5

The amendments aim to provide clarity and stronger enforcement capability around the feeding of birds.

The amendment of the General Local Law involves the following key steps:

- May 2025 – report presented to Council to seek adoption to commence community consultation in accordance with Council’s Community Engagement Policy.
- 15 May 2025 to 4 June 2025 – community consultation occurs
- July 2025 – a further report is presented to Council on community responses, and consideration to adopt the General (Amendment) Local Law 2025.

Community impact

The purpose of this proposed amendment local law is to specifically address an issue which has to date had significant impact on community members and therefore, requires prompt intervention.

The proposed amendment local law will directly impact community members as it restricts the feeding of birds on private property and on public land. Those found to be in breach of a local law are liable for penalties which may include the issuing of Notices to Comply, infringement or prosecution in the Magistrates’ Court.

Penalty units set under a local law made under the *Local Government Act 1989* are (including when amendments are made to that local law) capped at \$100 per penalty unit.

Council does not have the option of setting the penalty unit value, Council does however, have the ability to set the number of penalty units for each offence. The new clauses set the infringement penalty units at 3.5 per offence, in line with the current infringement penalty unit for offences under Part 5 of the Local Law however, the community may provide feedback on the number of penalty units during engagement.

The proposed maximum penalty unit for the offences to be created under the proposed amending local law is the same as the maximum prosecution penalty for all existing offences in the Local Law.

Climate emergency and environmental sustainability implications

The objectives of the local law include *promote a physical and social environment that is accessible and free from hazards to health, in which the residents of and visitors to the municipality can enjoy a quality of life that meets the general expectations of the community.*

Legal and risk considerations

The *Local Government Act 2020* sets out the procedure for making a local law. A legal review of the proposed amendments has been completed by Russell Kennedy Lawyers.

As Russell Kennedy has provided advice on this local law process, it is intended that the certification required by section 74 (1) be obtained from Russell Kennedy on Council's consideration of making the Local Law.

Human Rights Consideration

A local law must not be inconsistent with any Act, including the Charter of Human Rights and Responsibilities. Genuine contribution and participation in the development of the local law helps ensure that community members who may be affected by the local law have the opportunity to participate in the process and design the local law which affects them.

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities, specifically the Right to privacy and reputation which states that every person has a right to enjoy their private life free from interference; and the Right to take part in public life which states that every person has the right to participate in public life and democracy through helping make decisions on local issues. The assessment showed that no Human Rights have been breached.

4. Community consultation and engagement

Internal key stakeholders have been engaged on the proposed amendments and process for introducing them. The consultation and feedback received has informed the proposed Local Law amendments.

Affected persons rights and interests

Before making a decision that affects a person's rights, Council must identify whose rights may be directly affected and provide an opportunity for that person (or persons) to convey those views regarding the effect on their rights and consider those views.

The proposed engagement process provides this opportunity.

Proposed community engagement process

Section 73 of the *Local Government Act 2020* requires notice of the community engagement process that applies in respect of the making of a local law.

In accordance with Council's Community Engagement Policy, Council will apply the IAP2 spectrum level to consult with the community which will be to listen to our community's feedback on the potential decision to make a local law and take their feedback into consideration. This will involve seeking feedback via Council's Conversations Merri-bek page and making the proposed local law available on Council's website and providing a copy of the proposed local law will be available at Council office and upon request. We will also focus on reaching our diverse community through various channels including the Community Connectors program and engaging with young people.

The engagement period will run for 15 business days, from 15 May 2025 to 4 June 2025.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

No additional funding or resourcing is required to implement the recommendation made. Legal and advertising fees will be sourced from the Amenity and Compliance budget.

7. Implementation

On Council's endorsement, a public notice will be published stating:

- (a) the objectives of the proposed local law, and
- (b) the intended effect of the proposed local law; and
- (c) that a copy of the proposed local law is available for inspection –
 - (i) at the Council's office; and
 - (ii) on the Council's internet site; and
- (d) the community engagement process that applies in respect of the making of the local law.

In accordance with Council's Community Engagement Policy, the engagement period will run for 15 business days, from 15 May 2025 to 4 June 2025.

A further report will be presented to Council following the community consultation to consider the making of the local law.

The proposed amending local law will be certified from a qualified lawyer (Russell Kennedy Lawyers) in accordance with section 74(1) of the *Local Government Act 2020*.

Attachment/s

- | | | |
|---|---|------------|
| 1 | Proposed General (Amendment) Local Law 2025 Summary of Changes - Attachment 1 | D25/207810 |
| 2 | Proposed General (Amendment) Local Law 2025 for Consultation - Attachment 2 | D25/212915 |

Attachment 1 – Summary of changes

Issue/purpose	Proposed Wording	Current Clause	Comments
<p>Introduce a new subheading under Part 5: Animals</p>	<p>Feeding of birds</p>	<p>n/a</p>	<p>The addition of this subheading allows for separation from other parts of the local law.</p>
<p>Feeding of birds on private property is not included in the local law.</p> <p>Council officers have received a number of complaints about feeding of birds on private property. This clause seeks to address an issue which has to date significantly impacted community members.</p>	<p>Clause 5.14 An occupier of private property must not:</p> <ul style="list-style-type: none"> (a) feed or continue to feed; or (b) allow or cause to be fed any bird on that private property if: <ul style="list-style-type: none"> (i) that bird is not ordinarily kept on the private property; and (ii) the circumstances in which the bird is fed are likely to or do interfere with the material comfort of any other person or the enjoyment by any other person of their place of residence. 	<p>No current clause (other Councils such as Bayside have this clause in their Local Law)</p>	<p>The addition of this clause enables Council officers to address this issue and concerns raised by community members.</p>
<p>Feeding of birds on public land is not included in the local law.</p> <p>Council officers have received a number of complaints about feeding of birds on public land. This clause seeks to address an issue which has to date significantly impacted community members' enjoyment of public spaces.</p>	<p>Power of Authorised Officers – feeding of birds on public land</p> <p>5.15 An Authorised Officer may direct a person on any road, public place or Council land not to:</p> <ul style="list-style-type: none"> (a) feed or continue to feed; or (b) allow or cause to be fed any bird on that road, public place or Council land. <p>5.16 A person to whom a direction is given by an Authorised Officer under Clause 5.15 must comply with that direction.</p>	<p>No current clause</p>	<p>The addition of this clause enables Council officers to address this issue by directing people not to feed birds on public land.</p>

Issue/purpose	Proposed Wording	Current Clause	Comments
Add a new definition of <i>private property</i>	<i>Private property</i> means land other than Council land and land occupied, managed or controlled by a public authority.	Definitions section of the General Local Law	A definition is required as clause 5.14 references private property
Set the infringement penalty units for new clause 5.14 at 3.5 penalty units which is consistent with the other infringement penalty units in Part 5 of the <i>General Local Law</i> Amend Schedule 1 to the General Local Law to include the number of penalty units.	5.14 Feeding of birds on private property 3.5 penalty units	No current clause	Schedule 1 to the General Local Law lists all penalties fixed for infringements
Set the infringement penalty units for new clause 5.16 at 3.5 penalty units which is consistent with the other infringement penalty units in Part 5 of the <i>General Local Law</i> Amend Schedule 1 to the General Local Law to include the number of penalty units.	5.16 Failure to comply with a direction given by an Authorised Officer under clause 5.15 3.5 penalty units	No current clause	Schedule 1 to the General Local Law lists all penalties fixed for infringements



**MERRI-BEK CITY COUNCIL
GENERAL (AMENDMENT) LOCAL LAW 2025
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GENERAL (AMENDMENT) LOCAL LAW 2025

PART 1

INTRODUCTION

1. Title

This Local Law will be known as the General (Amendment) Local Law 2025.

2. Purpose of this Local Law

The purpose of this Local Law is to amend Council's General Local Law 2018 by revising the regulation of:

- a. feeding of birds on private property; and
- b. feeding of birds on public land.

3. Authorising provision

This Local Law is made under section 71 of the *Local Government Act 2020*.

4. Operation date

This Local Law operates from the day after the day upon which it is made by Council.

5. Revocation

Unless sooner revoked, this Local Law ceases to operate on the same day on which Council's General Local Law 2018 ceases to operate.

6. Application

This Local Law applies and has operation throughout the whole of the Council's municipal district.

7. Interpretation

In this Local Law, unless the contrary intention appears:

"Council" means Merri-bek City Council including its former name, Moreland City Council.

"General Local Law" means Council's General Local Law 2018.

PART 2
AMENDMENTS TO GENERAL LOCAL LAW

8. Amendments to the General Local Law

8.1 Immediately after clause 5.13 of the General Local Law insert:

Feeding of birds on *private property*

5.14 An occupier of *private property* must not:

- (a) feed or continue to feed; or
- (b) allow or cause to be fed,

any bird on that *private property* if:

- i. that bird is not ordinarily kept on the *private property*; and
- ii. the circumstances in which the bird is fed are likely to or do interfere with the material comfort of any other person or with a person's use and enjoyment of land they own or occupy.

Power of *Authorised Officers* – feeding of birds on public land

5.15 An *Authorised Officer* may direct a person on any *road, public place* or *Council land* not to:

- (a) feed or continue to feed; or
- (b) allow or cause to be fed,

any bird on that *road, public place* or *Council land*.

5.16 A person to whom a direction is given by an *Authorised Officer* under Clause 5.15 must comply with that direction.

8.2 In clause 1.10 of the General Local Law, immediately after the definition of "*prescribe*" insert:

Private property means land other than *Council land* and land occupied, managed or controlled by a public authority.

8.3 In the table in Schedule 1 to the General Local Law, immediately after the penalty fixed for "5.13 Conduct a commercial enterprise without a permit" insert:

5.14	Feeding of birds on <i>private property</i>	3.5
5.16	Failure to comply with a direction given by an <i>Authorised Officer</i> under clause 5.15.	3.5

7.3 ACCOMMODATION NEEDS OF FOOD RELIEF ORGANISATIONS

Director Community, Eamonn Fennessy

Community Wellbeing

Officer Recommendation

That Council:

1. Notes the findings of the feasibility assessment for accommodating food relief organisations, as outlined in Attachment 1.
2. Considers the needs of community organisations addressing food security in the review and allocation of Council-owned community venues.
3. Advises organisations seeking to provide food security services of any upcoming Expressions of Interest processes for use of Council-owned buildings.
4. Consider opportunities to utilise Council-owned community venues to support food security initiatives as part of future planning and service delivery.
5. Supports efforts to strengthen the capacity of community organisations addressing food security through advocacy and strategic partnerships.

REPORT

Executive Summary

This report presents the outcomes of a feasibility assessment into the accommodation needs of food relief organisations within Merri-bek.

Merri-bek is home to 22 food relief organisations delivering essential services including food parcels, prepared meals, vouchers, culturally appropriate food, personal care items, and referral support. These organisations have varied operational needs, requiring spaces that support storage, distribution, client access, and service coordination.

Council continues to play a key role in supporting the food relief sector by:

- prioritising use of existing community assets
- co-locating services where feasible
- recognising food relief organisations in community venue hire policies
- providing access to local government grants and operational support.

Council reviewed available Council-owned buildings, considering location, existing uses, building condition, and operational requirements. The assessment identified that no current assets are fit-for-purpose without significant, unbudgeted investment. In addition to this, Council has no clear policy driver to provide or acquire purpose-built accommodation for food security organisations.

However, given the high and growing demand for accommodation across community sectors and the importance of these organisations, Council will continue to work within its existing asset base and advocate to state and federal governments for ongoing investment and support to meet local food security needs.

Future planning of projects and buildings will ensure the specific needs of food relief providers are considered when purchasing, refurbishing, or leasing Council-owned buildings.

However, long-term infrastructure solutions such as building new facilities, retrofitting existing ones, or acquiring land are not financially sustainable within Council's current resources.

Previous Council Decisions

Food System Strategy 2024-2027 – 14 August 2024

That Council:

1. *Notes the feedback received on the Draft Food Systems Strategy 2024-2027 during the public exhibition, and thanks the community for the contributions.*
2. *Adopts the Food System Strategy 2024-2027 (Attachment 1) with an additional point under “1. Food equity and security”. The additional point is to note that Council will conduct a feasibility study to determine the accommodation needs of food relief organisations in Merri-bek.*

Food System Strategy 2024-2027 – 12 June 2024

That Council:

1. *Endorses the draft Food System Strategy 2024-2027 for public exhibition from the 17 June 2024 to the 8 July 2024.*
2. *Notes the food and material relief organisations and volunteer groups in Merri-bek and thanks them for their significant contribution to life in Merri-bek.*
3. *Notes the level of support that is offered to emergency food and material aid services and volunteer groups by Merri-bek City Council.*
4. *Notes how food security and food relief is addressed in the Food System Strategy 2024–2027.*
5. *Requests a feasibility study is undertaken to determine the accommodation needs of food relief organisations in Merri-bek including the advantages and disadvantages of various options such as use of existing Council buildings, long term lease or property acquisition.*

1. Policy Context

Food equity and security is a strategic priority in the *Food System Strategy 2024-2027*, which involves:

- Strengthening the Food and Material relief sector and advocating to other levels of government for investment in food security.
- Securing external funding for continuation of the Community Food Hub project.
- Continuing to evaluate the outputs of the Community Food Hub project as a long-term holistic solution to food insecurity.

2. Background

The COVID-19 pandemic significantly increased the demand for food and material relief across Merri-bek, leading to the establishment and expansion of many community-led food relief organisations. In 2022, Council reviewed this sector and identified that these groups already operating in a fragmented and under-resourced environment face persistent challenges including limited funding, volunteer workforce instability, and a lack of access to appropriate premises and infrastructure.

During the development of the *Food System Strategy 2024–2027*, these issues were echoed by local organisations, who reported difficulty in meeting rising demand due to chronic under-resourcing, a lack of integration with other services, and over-reliance on volunteers, including in critical service delivery roles.

To build a clearer picture of long-term needs, Council commissioned the Community Food Hub project the coordinator to undertake a targeted needs assessment in 2024. This work was supplemented in early 2025 with in-depth interviews with food relief organisations actively seeking secure accommodation. Approximately 22 food relief organisations operate within Merri-bek, with most based in partner venues or community settings, and a smaller number hiring Council-owned spaces.

Council does not have a clear role or policy driver for supporting the accommodation needs of food security organisations. The specific needs of individual organisations can be complex and expensive. Providing tailored and purpose built or purchased solutions is therefore not recommended given the many other demands on Council capital works budgets to support core Council activities.

However, in assessing the needs of organisations officers believe Council can help these organisations by prioritising the use of existing and available Council assets to support food relief efforts where practical, including through co-location opportunities and enabling access to community venues.

To sustain and scale support for food relief into the future, ongoing collaboration with state and federal governments will be essential particularly with agencies and organisations that already receive external funding. Council remains committed to playing a key role in enabling local service delivery, advocating for systemic investment, and fostering integrated, co-located solutions within its existing asset network.

3. Issues

Community impact

Access to suitable premises at low or no cost continues to be an issue for smaller community organisations, many of them who are run by volunteers and have limited resources.

The needs of the organisations are varied and depend on their operations. They range from the provision of perishable and non-perishable food items, case management and confidential counselling and referral to services, culturally appropriate fresh produce for sale via food voucher programs or direct purchasing.

In many instances, accommodation for these organisations would need to be purpose built or retro fitted for the specific requirements of the services based on their functions.

In addition to secure accommodation, one of the key needs for many small volunteer run food relief organisations is operational funding to co-ordinate the service and support the volunteers.

The recommendations will contribute to further strengthening the network of food relief organisations.

Climate emergency and environmental sustainability implications

The physical requirements of these groups include access to cold storage, storage of provisions, access to a commercial kitchen, private rooms to conduct confidential conversations. Due to the community accessing these services, ideally, they need to be located within 1.5 km of public transport.

Economic sustainability implications

Federal funding for food and material relief in Merri-bek is provided to CIS - Merri-bek and Salvation Army for goods and services but not for infrastructure.

Legal and risk considerations

There are no legal considerations arising from this report.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities and the right to accessing food with dignity is a key consideration. In identifying the future locations for these services various access needs will be considered.

The suitability of the venues has been assessed based on accessibility.

4. Community consultation and engagement

- As part of the Community Food Hub project the coordinator conducted an extensive food security needs analysis, interviewing 15 local community / not-for-profit food relief or food security organisations late 2023/ early 2024.
- Council conducted in depth interviews with organisations currently seeking accommodation in 2025 to understand their specific needs.
- Key themes emerged from these discussions around infrastructure gaps and reliance on volunteers and lack of ongoing operational funding.
- Staff will continue to liaise with the relevant Council units to explore accommodation options as Council buildings come up for lease and as part of the review of use of Council venues.

Affected persons rights and interests

Before making a decision that affects a person's rights, Council must identify whose rights may be directly affected and provide an opportunity for that person (or persons) to convey those views regarding the effect on their rights and consider those views.

Communications

N/A

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

There would be significant capital cost to provide for the specific needs of community food security organisation. The acquisition of land and/or purchase and development of purpose-built facilities would be in the millions of dollars and is therefore not recommended.

Any subsidies or free use offered to services using existing Council venues will impact overall revenue facility revenue to Council and would be in the low thousands of dollars for one organisation.

7. Implementation

Include food security organisations as a key priority activity in the review of community venue hire guidelines.

Continue to monitor the needs of food relief organisations through the Food and Material Relief Network.

Advise all organisations of opportunities to lease buildings through Expression of Interest processes, grants or partnership opportunities via relevant communication channels.

Attachment/s

- 1 Accommodation Needs of Food Relief Organisations Analysis
Summary April 2025

D25/203153

Appendix 1 Accommodation Needs of Food Relief Organisations Analysis Summary April 2025

Food relief services		Council Building Options and Facilities					
Function	Facilities required	10 Murrell St, Glenroy	14 Frith St, Brunswick	160 Bell St, Coburg	Glenroy Community Hall (mezzanine) 5a Cromwell St	Merri-bek Community Enterprise Centre, 219-257 Sydney Rd Brunswick	Former tennis club pavilion, Ash Court Glenroy
Common needs for all services with staff / volunteers who plan and deliver food relief from the premises	Minimum area 220m³	√	X	X	X	X	X
	Good Access to public transport	√	√	√	√	√	X
	Close to other services	X - Corpus Christi Primary School only	√ - Sydney Rd precinct	√ - School house Studios, Coburg library	√ - Glenroy neighbourhood house, Community Hub / library	√ - Sydney Road precinct	X - Isolated, not close to any other services
	Staff office	√	X	X	X	√	X
	Staff (domestic) kitchen	√	√	X	√	√	√
	Bathroom / toilet	√	√	√	√	√	√
	Space for parking / food deliveries	X	√	√	X	X	√
Client intake interviews / assessments and referrals	Reception area / client entrance	√	X	X	X	X	X
	At least 2 private	√	X	X	X	X	X

	interview rooms						
Self-serve pantry / market	Shelf stable food storage (shelving / cupboards) + Refrigerators / Cool room	X	√	√	√	X	√
Grocery boxes / parcels (shelf stable)	Shelf stable food storage (shelving / cupboards)	X	√	√	√	X	√
	Space for food handling / aggregation with tables / benches	X	X	X	X	X	√
Fresh food boxes / parcels (refrigerated)	Refrigerators / Cool room	X	√	√	√	X	√
	Space for food handling / aggregation with tables / benches	X	X	X	X	X	X
Free meals – pick-up	Commercial Kitchen	X	X	√	X	X	X
	Refrigerators / Cool room	X	X	√	X	X	X
	Space for food handling / aggregation with tables / benches	X	X	X	X	X	X
Low-cost Community	Shelf stable food storage	X	√	√	X	X	X

Fresh Food Market	(shelving / cupboards)						
	Refrigerators / Cool room	X	X	√	X	X	X
	Accessible undercover market area,	X	X	X	X	X	X

Council Building Options – Investment required / Other issues

10 Murrell Street, Glenroy

- Current buildings need \$624k works to be fit for occupation, additional for food preparation, cold storage.
- Demolition \$100k, new building approx. \$2-3 Million, noting easement across block needs to be considered in design
- Pre-existing decision on sale of building to fund Glenroy Hub development
- Residential zoning - likely objections/strategic issues with re-zoning to commercial/industrial for food preparation use.

14 Frith St, Brunswick

- Only 200m2 which is under what food relief services need
- Requires full kitchen fit out including cold storage, power alterations approx. \$300k
- May not be best use of high-profile property designed as café to serve and activate park.

160 Bell Street Coburg

- Lease is up - current tenant has option to extend lease / first right of refusal.
- Negotiate for community use as part of lease renewal but will be at cost to Council/community organisation.
- Other spaces may need some work to be suitable

Glenroy Community Hall, 5a Cromwell Street (mezzanine level)

- Currently not fit for occupation – requires a lift
- Issue moving food supplies from carpark to mezzanine level
- Requires capital improvements to make the space safe and accessible

- Kitchenette only – would need full kitchen refit

Former tennis club pavilion, Ash Court Glenroy

- Under a lease
- Domestic kitchen
- Good parking / deliveries access

7.4 USE OF HERBICIDES AT SHORE RESERVE - RESPONSE TO PETITION

Director City Infrastructure, Anita Curnow

Open Space and Environment

Officer Recommendation

That Council receives this report regarding a petition containing 58 signatures presented at the 11 December 2024 Council meeting.

REPORT

Executive Summary

Council received a petition with 58 signatures from lead petitioner (Irene Georgakakis) at the 11 December 2024 Council meeting “requesting Council stop using herbicides or any other chemicals and poisons at Shore's Reserve and all other open spaces”.

Upon receiving the petition, Council resolved that a report be received by Council on the matters raised in the petition.

The matters raised in the petition are summarised as:

- Concern that the herbicides Council is using are not safe for people (including children), dogs and the environment
- Requesting that Council use alternatives to these herbicides for weed management
- There is an underlying problem with the playing surface at Shore Reserve and managing its use and maintaining the surface may be all that is needed (rather than application of herbicides).

The report addresses the above matters, advising:

- The herbicide used by Council (glyphosate) is considered safe by Australian authorities when used according to the instructions for application.
- Council has previously undertaken trials of alternatives to using this herbicide and no suitable alternative has been found to cover all the different scenarios for its use. However, Council has several alternative weed management approaches where it is practical and beneficial to adopt these, and new approaches continue to be adopted such as goats.
- The Shore Reserve oval is used for Australian Rules Football and cricket. For the level of use it receives, it is a substandard sized-ground and ultimately not suited to the usage it receives. Strategies Council is adopting to address this include finding alternative venues for some of the West Coburg Football Club senior games to be played. A ground renewal and sportsfield lighting upgrade are currently included in the draft 5-year Capital Works Program for planning in 2027/28 and implementation in 2028/29.
- Council adopts weed management practices that minimise the opportunity for weeds to take hold on sportsground surfaces and applies herbicides sparingly and in accordance with manufacturer's guidelines and regulator requirements.
- Notwithstanding this, Council will minimise its use of herbicides to manage weeds at Shore Reserve in informal recreation areas, while maintaining safe use of herbicides to manage weeds on the playing surface. This approach will result in more weeds being visible throughout the reserve between weeding events. The community will be invited to participate in weeding events at the Reserve alongside Council officers.

A response to the lead petitioner has been prepared and dispatched and is at Attachment 1.

Previous Council Decisions

Petition requesting Council stop using herbicides or any other chemicals and poisons at Shore's Reserve and all other open spaces - 11 December 2024

A petition (D24/462611) was received containing 58 signatures requesting Council stop using herbicides or any other chemicals and poisons at Shore's Reserve and all other open space.

That Council:

- 1. Receives the petition, requesting Council stop using herbicides or any other chemicals and poisons at Shore's Reserve and all other open space.*
- 2. Refers the petition requesting Council stop using herbicides or any other chemicals and poisons at Shore's Reserve and all other open space to the Director City Infrastructure for consideration and response.*
- 3. Receives a report to a Council meeting on the matter.*

Weed Management Research and Moreland No-Glyphosate Trial - 8 December 2021

That Council:

- 1. Notes the findings from the Deakin University research which indicates based on the results of the field trials and taking into consideration cost, safety information and off-target impacts, glyphosate is considered to be the most effective weed management strategy of the different approaches used in the trial. A peer reviewed report on this research is provided at Attachment 1.*
- 2. Notes the commencement in July 2021 of Council's own weed management trial including community feedback from trial areas to date and notes the budget recommendations that will be put forward for 2022/2023.*
- 3. After the conclusion of the trial, any recommendations about the future use of glyphosate, takes into account evidence about the impacts of glyphosate on human health that include reports from the International Agency for Research on Cancer (IARC) as well as the industry-funded Australian Pesticide and Veterinary Medicines Authority and evidence of insurance companies not insuring companies or organizations which manufacture, distribute or use glyphosate. An assessment of the impact of glyphosate on humans should include the adequacy of labeling on the safe use of glyphosate.*

Weed Management: Glyphosate Phase Out Plan - 9 June 2021

That Council:

- 1. Notes that to date, despite considerable investigation of options, none of the alternatives to using glyphosate for weed management has shown to be as effective or viable economically or environmentally.*
- 2. Notes that current guidance from the Australian regulatory authorities and WorkSafe Victoria, is that products containing glyphosate can continue to be used safely, as long as adhering to directions in the Safety Data Sheet and labels and does not represent a health risk to the public.*
- 3. Notes that glyphosate has already ceased to be used in high risk exposure sites across Moreland.*
- 4. In the light of the high cost and unproven effectiveness of currently available alternative treatments, undertakes a trial of a large 'no glyphosate' zone with a comparison control zone over a two-year period and evaluates the trial using metrics including worker hours, equipment hours, material costs and community feedback.*

5. *By agreeing to the trial, sets aside previous Council decisions to cease the use of glyphosate by August 2021, made at the:*
 - *14 August 2019 Council Meeting - “Weed Management Review – Further Report to Review of Pest and Weed Management Policy (from 6 December 2017)”;* and
 - *12 August 2020 Council Meeting - “Weed Management – Glyphosate Phase Out Update”*
6. *Continues a phased approach to both reducing and then potentially ceasing the use of glyphosate at all other low risk and environmentally sensitive sites in the future, with an update report on the findings of current Deakin University research and the application of any promising alternatives to Moreland that may impact on the 2022/23 Budget be received by Council in December 2021*

Weed Management: Glyphosate Phase Out Plan - 12 May 2021

That the item be deferred for one month until the Council meeting on 9 June 2021.

Weed Management – Glyphosate Phase Out Update - 12 August 2020

That Council

1. *Notes the work currently undertaken to phase glyphosate products out of Council operation by August 2021.*
2. *Receives a report at the March 2021 Council meeting highlighting the timing and cost implications of the full ‘Phase Out Plan’.*
3. *Notes that residents can register their property on the ‘No Spray Register’ which stops the use of glyphosate on land abutting their property. Property owners who sign up to the register, acknowledge that they are committing to maintaining the weeds on the public areas that abut the property, including footpaths, laneways, verges and gutters.*

Weed Management Review – Further Report to DCI70/17 (Review of Pest and Weed Management Policy decision 6 December 2017) - 14 August 2019

That Council:

1. *Notes the potential negative health impacts of glyphosate on residents, workers and bystanders, and notes the well-established negative impacts on bees and insect populations which are critical to agriculture and native ecosystems as well as the development of weed resistance to glyphosate.*
2. *Adopts a phased approach to ceasing the use of glyphosate products by August 2021.*
3. *Receives a report in August 2020, providing an update on the progress of moving to banning glyphosate by 2021.*
4. *Continues to advocate for viable alternate products to replace glyphosate.*
5. *Notes that Council officers are progressing an initiative to provide a sign to all residents currently on the ‘No Spray Register’ and those who sign up to the register, noting that the resident is committed to maintaining the weeds on the public areas that abut the property, including footpaths, laneways, verges and gutters.*

Review of Pest and Weed Management Policy - 6 December 2017

That:

1. *Council acknowledges the actions undertaken to date implementing the Pest and Weed Management Policy.*
2. *A report comes back to Council after an assessment of the results of the trials of safer, organic, bio-degradable alternatives, outlining options for the phasing out of glyphosate.*

1. Policy Context

The Pest and Weed Management Policy was adopted by Council in September 2016.

The policy underscores the benefits of an integrated pest and weed management strategy in public open space, ensure proper selection and use of herbicides and pesticides and investigate the use of viable alternatives that lead to more sustainable environmental outcomes. Before being adopted, the policy went through a full community consultation process. Feedback received through this consultation period helped form the final policy.

The Merri-bek Nature Plan provides strategic direction to enhance biodiversity and celebrate nature in our municipality. Council has partnered with a number of key organisations, new and emerging community groups and other key stakeholders, such as Melbourne Water, in undertaking activities such as weed control, revegetation and ecological burning to rehabilitate parklands along the creek corridors. Effective weed management is complex and can be especially challenging in the urban environment. In conservation areas, Council engages skilled bushland contractors to undertake weed control. They use a range of best practice land management techniques, including brush cutting, hand weeding, herbicide spraying, flame-weeding and ecological burning.

2. Background

The full wording of the petition presented to Council at its 11 December 2024 meeting is as follows:

The poison you are using may be classified as a “safe” herbicide, however has it been tested for longer than 5 to 10 years as is required by Science and the medical establishment?

By its make up and purpose it is a poison to poison “weeds” to thus eliminate them from the grasses of the reserve. We deem this a poison and it does not have any reason to be sprayed on this and on any oval, reserve, park, open areas in the municipality of Merri-bek.

We are concerned about our safety, our children’s safety, our dogs’ safety and the environment’s safety.

Also, the sports oval at Shore’s Reserve needs care as it has been way overused. Upon inspection it does not have enough “weeds” to justify any sort of spraying. What it needs is a good amount of top soil to cover the many pot holes and the whole lot to be punched to make holes to aerate the soil as it is so compacted by the grass roots.

More care and maintenance is what this oval needs, not poisons.

Council has actively assessed alternatives to use of glyphosate in recent years.

These activities are documented in the extensive history of Council resolutions on this matter outlined at the start of this report. In summary, there have previously been requests for the phasing out of use of glyphosate by Council that have been tested by officers through trials. Council has reduced glyphosate usage for certain activities, does not apply glyphosate in playgrounds and has implemented No Spray zones. Along with several other Councils, Merri-bek also commissioned research by Deakin University into alternatives to use of glyphosate and the safety of glyphosate.

The outcome of these activities has been that there is no suitable alternative to use of glyphosate for most of Council’s weed management functions and that when it is used according to manufacturer’s specifications, it is safe to humans, animals and the environment. Several Councils that had discontinued using glyphosate have now returned to using it, finding no other method suitable for weed management.

3. Issues

Issues highlighted by the petitioners:

Concern that the herbicides Council is using are not safe for people (including children), dogs and the environment

All herbicides used by Council, including Specticle Herbicide and Weedmaster Duo, are Australian Pesticides and Veterinary Medicines Authority (APVMA) approved and safe when applied according to their labels. Specticle, a water-based indaziflam formulation has been registered since 2016. Weedmaster Duo, a post emergent herbicide that targets annual, perennial and aquatic weeds, has been registered since 2012.

The APVMA's rigorous, science-based review, assesses both the likelihood and impact of exposure on people, animals, plants, and the environment. Proper label use mitigates any identified risks, ensuring safe, effective weed management across Council operations. Council chemicals are stored in a locked chemical storage shed with lockable cabinets, accessible only to certified staff. Access and usage are recorded for auditing and safety purposes.

Requesting that Council use alternatives to these herbicides for weed management

During the period - July 2021 to June 2023 - Council undertook trials of alternatives to using herbicides with no suitable alternative being found to cover all the different scenarios for its use. However, Council has several alternative weed management approaches where it is practical and beneficial to adopt these, and new approaches continue to be adopted such as:

- **Goats:** Control weeds in hard-to-reach or steep terrain.
- **Solarisation:** Use of black plastic to trap heat and kill weeds, seeds, and pathogens in warmer weather.
- **Dense Planting/Ground Covers:** Reduce weed growth by covering soil with low-growing plants.
- **Manual Weeding:** Labour-intensive but effective for small areas.
- **Mulching:** Suppresses weeds and pests while retaining moisture.
- **Ecological Burning:** has been safely used as a management tool in Merri-bek's grasslands both for managing weeds and increasing plant diversity for many years.

Officers will reduce their use of herbicides at Shore Reserve, by applying dense planting, mulching and manual weeding to parts of Shore Reserve that are informal recreation areas. This will mean that there are more weeds visible throughout the Reserve between manual weeding events. It is acknowledged that some members of the community may be concerned about weed growth. The community will be invited to participate in scheduled weeding events alongside Council officers. Notice will be provided of upcoming events at the Reserve, ahead of time. The oval will continue to be treated with herbicides.

There is an underlying problem with the playing surface at Shore Reserve and managing its use and maintaining the surface may be all that is needed (rather than application of herbicides).

Shore Reserve supports both Australian Rules Football (AFL) and cricket, but given the volume and intensity of use, its smaller dimensions place pressure on its ability to sustain the required level of activity. To help manage this, Council is working to spread some of West Coburg Football Club's games to alternative venues.

A sports field redevelopment and sports field lighting upgrade are currently included in the draft 5-year Capital Works Program for planning in 2027/28 and implementation in 2028/29, as follows:

	2027/28 (design)	2028/29 (implementation)	Total
Shore Reserve: Sports Field Redevelopment	\$100,000	\$2,400,000	\$2,500,000
Shore Reserve: Sports Field Lighting Upgrade	\$50,000	\$350,000	\$400,000
Total	\$150,000	\$2,750,000	\$2,900,000

Community impact

Council receives on average 150-200 customer service requests per year relating to weed management. Of these requests, less than 5 per cent relate to concerns of chemical use. A vast majority call for Council to manage weed control within the municipality. It is important to strike a balance between community expectation and implications of alternate products on service delivery.

With the proposal to minimise herbicide use at Shore Reserve, it is possible that some members of the community will be unhappy with the presentation of the Reserve. The community will be invited to participate in scheduled weeding events alongside Council officers. Notice will be provided of upcoming events at the Reserve, ahead of time.

Climate emergency and environmental sustainability implications

Merri-bek City Council is taking a leading role within the region by declaring a climate emergency and continues to seek new initiatives to preserve and enhance the environment for community wellbeing. The projected increase in global temperatures will favour proliferation of weeds with their physiological tolerances to climate stressors, so control and management of weeds especially environmentally significant ones, will prove challenging without the use of herbicides.

Economic sustainability implications

Any phasing out of use of herbicide will result in additional expenditure to manage weeds in the municipality and to maintain an acceptable level of service, in the absence of alternate cost-effective solutions.

Legal and risk considerations

Merri-bek City Council addresses legal and risk considerations in herbicide use through comprehensive policies that prioritise public health, environmental sustainability, and community engagement. These measures aim to ensure that weed management practices on sporting grounds are safe, effective, and compliant with legal standards. The Council's Pest and Weed Management Policy outlines its approach to weed control, emphasising the use of non-residual chemical herbicides and alternative methods to minimise environmental impact.

Human Rights Consideration

The implications of this report have been considered in accordance with the requirements of the Charter of Human Rights and Responsibilities. Merri-bek City Council's Human Rights Policy, grounded in the Victorian Charter of Human Rights and Responsibilities, emphasises the protection of residents' health and well-being. This includes ensuring that public spaces, such as sporting grounds, are safe and accessible for all community members. The Council acknowledges its responsibility to uphold human rights in all its operations, including environmental management practices.

Gender Equality Impact Assessment

In accordance with the Gender Equality Act, the recommendations in this report were assessed for the extent of “direct and significant impact on the public”. The recommendations were not deemed to have direct and significant impact, and so a Gender Impact Assessment was not undertaken.

4. Community consultation and engagement

There was no community consultation or engagement undertaken as part of providing this report to Council.

The local community around Shore Reserve will be advised of forthcoming weeding events and invited to take part.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

There were no financial or resource implications in providing this report to Council.

7. Implementation

Officers will implement the reduced use of herbicides in informal recreation parts of Shore Reserve within the next 3 months.

Officers will continue to monitor the use of herbicides across the municipality in accordance with the manufacturer’s instructions and ensure a more robust communication process with residents in surrounding areas of this usage.

Officers will continue to benchmark usage of herbicides and alternate weed control across other municipalities.

The Current Weed Management policy will be reviewed in early 2026 and will include chemical control along with cultural, biological, and mechanical methods for holistic and sustainable weed management.

Attachment/s

- 1 Response to Petition on Herbicide Use at Shore Reserve Dec 2024 D25/217644



XRef: D24/462611
Doc. No. D25/217644
Enq: Bernadette
Hetherington
Tel: 9240 1111

Irene Georgakakis

By email: [REDACTED]

Dear Ms Georgakakis

RE: PETITION REQUESTING COUNCIL STOP USING HERBICIDES OR ANY OTHER CHEMICALS AND POISONS AT SHORE'S RESERVE AND ALL OTHER OPEN SPACES

Thank you for your petition dated 19 September 2024 containing 58 signatures asking council to stop using herbicides or any other chemicals and poisons at Shore's Reserve and all other open spaces. The petition was received at the Council meeting on 11 December 2024. I have attached the wording of your petition to the end of this letter for reference.

At the meeting, it was resolved that Council:

1. Receives the petition, requesting Council stop using herbicides or any other chemicals and poisons at Shore's Reserve and all other open space.
2. Refers the petition requesting Council stop using herbicides or any other chemicals and poisons at Shore's Reserve and all other open space to the Director City Infrastructure for consideration and response.
3. Receives a report to a Council meeting on the matter.

Merri-bek City Council has long sought to ensure that our weed management practices are undertaken in the safest possible way for the community, animals and the environment as well as workers. This has involved conducting trials of different approaches to weed management to see whether there are options that do not make use of chemical herbicides that can be practically applied. While some of these approaches have been adopted for specific situations, and Council maintains an opt-in No Spray register for people's individual addresses, there is no broad scale alternative to using glyphosate as part of a weed management regime.

Council joined with several other Councils to commission research by Deakin University, published in 2021, into alternatives to using glyphosate. The research found that when used according to the manufacturer's instructions, glyphosate is safe to use. Combined with judicious selection of grasses and timing of attention to weeds that emerge to limit their opportunity to seed, glyphosate is an effective method of managing sportsfields.

Your petition also referenced the playing surface at Shore Reserve. I am pleased to advise that in addition to day to day management of the surface in the short term, there is funding flagged in the draft Capital Works budget for design (in 2026/27) and implementation (in 2028/29) of a full redevelopment of the

Shore Reserve playing surface. This is documented in Council's proposed budget, exhibited for public comment until 22 May. You can access this document at [Council Budget 2025-2029 | Conversations Merri-bek](#).

Officers have prepared a report for Council on this matter, containing further information about Council's weed management approach, which is scheduled to be presented to the 14 May Council meeting.

In addition, Officers will reduce their use of herbicides at Shore Reserve, by applying dense planting, mulching and manual weeding to parts of Shore Reserve that are informal recreation areas. This will mean that there are more weeds visible throughout the Reserve between manual weeding events. It is acknowledged that some members of the community may be concerned about weed growth. The community will be invited to participate in scheduled weeding events alongside Council officers. Notice will be provided of upcoming events at the Reserve, ahead of time and I will make sure you receive this invite. The oval will continue to be treated with herbicides.

As you are the lead petitioner, I trust the response will be passed on to the other signatories.

If you require any further information, please don't hesitate to contact Bernadette Hetherington, Acting Manager Open Space and Environment on 9240 1111.

Yours sincerely

Anita Curnow
DIRECTOR CITY INFRASTRUCTURE

07 / 05 / 2025

Attachment: Wording of Petition Received on 19/09/2024

Council reference: D24/462611

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By its make up and purpose it is a poison to poison "weeds" to thus eliminate them from the grasses of the reserve. We deem this a poison and it does not have any reason to be sprayed on this and on any oval, reserve, park, open areas in the municipality of Merri-bek.

We are concerned about our safety, our children's safety, our dogs' safety and the environment's safety.

Also, the sports oval at Shore's Reserve needs care as it has been way overused. Upon inspection it does not have enough "weeds" to justify any sort of spraying. What it needs is a good amount of top soil to cover the many pot holes and the whole lot to be punched to make holes to aerate the soil as it is so compacted by the grass roots.

More care and maintenance is what this oval needs, not poisons

7.5 C236MBEK - DEVELOPMENT CONTRIBUTIONS PLAN 2.0 - GATEWAY 1 - AUTHORISATION & EXHIBITION

Director Place and Environment, Pene Winslade

City Strategy and Economy

Officer Recommendation

That Council:

1. Endorses the report *Merri-bek Development Contributions Plan (April 2025)* as shown in Attachment 1 as part of Amendment C236mbek.
2. Seeks authorisation from the Minister for Planning to prepare Merri-bek Planning Scheme Amendment C236mbek in accordance with section 8A of the *Planning and Environment Act 1987*.
3. Subject to the Minister's authorisation, prepares Amendment C236mbek, generally in accordance with the documentation provided at Attachments 1 and 2.
4. Exhibits Amendment C236mbek in accordance with section 19 of the *Planning and Environment Act 1987* and as outlined in the Consultation section of this report.
5. Authorises the Director Place and Environment to make changes to the Amendment prior to exhibition based on any conditions imposed in the authorisation granted by the Minister for Planning and to make administrative changes to correct errors and grammatical changes.

REPORT

Executive Summary

In 2015 Council adopted the *Moreland Development Contributions Plan 2015* (DCP 1.0) as a formal, lawful, and equitable way to collect contributions from new development toward the necessary infrastructure for a growing population.

DCP 1.0 established an obligation on Council to collect levies in line with specified rates in the Merri-bek Planning Scheme, deliver the infrastructure projects listed in the DCP's incorporated document, and spend the collected levies on these projects.

The collection period for levies under DCP 1.0 has expired, and a new DCP, the *Merri-bek Development Contributions Plan, April 2025* (DCP 2.0) has been prepared to support new and upgraded infrastructure to meet the needs of the community over the next 15 years.

Amendment C236mbek proposes to introduce DCP 2.0 into the Merri-bek Planning Scheme by applying Schedule 2 to the Development Contributions Overlay to all land within the municipality. Schedule 2 to the Development Contributions Plan Overlay imposes a development infrastructure levy and/or a community infrastructure levy on new residential, commercial, and industrial development.

The DCP 2.0 is based on Council's Capital Works Program (CWP) and includes infrastructure projects such as roads, drainage, footpath, streetscape works as well as community infrastructure projects (early years centres, libraries and aquatic facilities). The infrastructure is required to cope with the growing population of the municipality and the consequential increased demand on infrastructure.

The DCP 2.0 will provide certainty for Council, developers and the broader community on the application and extent of levies for new residential, commercial and industrial developments. The DCP 2.0 will also reduce uncertainty and resource demands associated with case-by-case voluntary negotiations and agreements between Council and developers.

Previous Council Decisions

Amendment C221more – Development Contribution Plan Project Substitutions – Decision Gateway 2 – Adoption – 7 December 2022

That Council:

1. *Using its powers as a planning authority under s 29 of the Planning and Environment 1987, adopt Moreland (Merri-bek) Planning Scheme Amendment C221more as shown in Attachments 1, 2 and 3 to this report.*
 - *Submit the adopted Amendment to the Minister for Planning.*

Amendment C215 – Development Contributions Plan (DCP) – Extension of Project Delivery Dates – Decision Gateway 3– 10 November 2021

That Council:

1. *Adopts Amendment C215more to the Moreland Planning Scheme Pursuant to Section 29(1) of the Planning and Environment Act 1987.*
2. *Submits Amendment C215more to the Moreland Planning Scheme to the Minister for Planning for approval, pursuant to section 31 of the Planning and Environment Act 1987.*

Moreland Planning Scheme C133 – Development Contributions Plan - 11 February 2015

Council resolve to:

1. *Note the recommendations of the Amendment C133 Panel Report dated 27 November 2014 (Attachment 1).*
2. *Adopt Amendment C133 pursuant to section 29(1) of the Planning and Environment Act 1987, with changes recommended in the Amendment C133 Panel Report (Attachment 1) as follows:*
 - a) *Correct all errors in the exhibited DCP identified in Appendices C and E.*
 - b) *Revise the apportionment of all road or drainage projects in the Development Contributions Plan that span two (or more) charge areas in proportion to the length of street frontage relating to the project in each charge area.*
 - c) *Delete project RD0163 from the Development Contributions Plan.*
 - d) *Insert an end date of 30 June 2023 in the Development Contributions Plan.*
 - e) *Delete Clauses 5.0, 6.0, 7.0 and 8.0 from the Development Contributions Plan Overlay schedule.*
 - f) *Insert the following revised dot point under Clause 4.0 of the Development Contributions Plan Overlay schedule:*

“Land known as 'Coburg Hill' (the former Kodak site), located at 173-199 Elizabeth Street, Coburg North (described as Lot B on PS608167Y), which is defined by Schedule 10 to Clause 43.04-Development Plan Overlay to the Moreland Planning Scheme.”
 - g) *Amend the charging rates in the Development Contributions Plan Overlay schedule as required to reflect the changes to the DCP recommended in this report.*
3. *Delegate to the Director Planning and Economic Development the authority to finalise changes to the Amendment in accordance with Council’s resolution and also to undertake any changes as required to correct errors, grammatical changes, map changes and any consequential changes required to the Municipal Strategic Statement (MSS) to align it with the final Amendment.*
4. *Submit Amendment C133 with changes to the Minister for Planning for approval, pursuant to section 31(1) of the Planning and Environment Act 1987.*

5. *Notify all submitters of Council's resolution and to write to all submitters advising of the Minister's decision on Amendment C133 once confirmed.*

1. **Policy Context**

Council Plan 2021-2025

The *Council Plan 2021-2025* (Council Plan) aims to create a municipality that is healthy and caring, contains vibrant spaces and places, and is empowered and collaborative.

The preparation of a new Development Contributions Plan (DCP) is a major initiative and priority of the Council Plan (Item 46). The *Council Action Plan 2024-2025* (Action Plan) also includes *Action 134 – Continue preparation of a new Development Contributions Plan*.

The development of a new DCP also aligns with the following strategic objectives of the Council Plan:

- *Strategy 4.1 - Improve and provide equitable access to council-owned community infrastructure by investing in needs driven, place-based, integrated services and facilities including developing precinct plans.*
- *Strategy 5.6 - Significantly progress efforts to secure more developer funding towards Council's response to population growth.*
- *Strategy 5.8 - Ensuring our assets provide the best fit for community needs over the long term*

Budget and Capital Works Program

Council's Adopted 4-Year Budget (2024-2028) sets out what Council will deliver in terms of services, infrastructure and projects over four years and how these activities will be funded. The Budget also contains Council's 4-year Capital Works Program (CWP) which sets out a detailed breakdown of project spending over the four-year budget period.

The 4-year Budget and CWP have informed the project list for the new DCP, with projects commencing in the 2026/27 financial years onwards considered for inclusion.

Planning and Environment Act 1987 and Ministerial Direction

The DCP is enabled by the *Planning and Environment Act 1987* (the Act), which sets out the legislative requirements to guide operation of a DCP. Having a DCP means Council can collect levies from those land developments which enable local population growth and economic development. This collection obliges Council to deliver all the infrastructure projects listed in the DCP before its expiry.

The *Ministerial Direction on the Preparation and Content of Development Contributions Plans* (Ministerial Direction) provides direction to Councils on the preparation and content of a DCP, including where a DCP can be applied, exempt development, and what can be funded from collected levies. It also sets out specific reporting requirements Councils must follow when they have a DCP.

Development Contributions Guidelines

The Victorian State Government has published *Development Contributions Guidelines, March 2007* (DCP Guidelines) for the preparation of a full cost apportionment DCP.

The DCP Guidelines provide a clear and detailed guidance on key concepts and required tasks in preparing a full cost apportionment DCP. These guidelines are recognised by Planning Panels Victoria as the appropriate guide to the development of DCPs. The new DCP has been prepared in accordance with these guidelines.

Merri-bek Planning Scheme

Municipal Planning Strategy

Merri-bek's Municipal Planning Strategy (MPS) at Clause 02.03-8 (Infrastructure – Community Infrastructure) includes the following strategic direction focused on providing infrastructure to support a growing and changing population:

In planning and delivering community infrastructure, Council supports:

- *Providing accessible community infrastructure (e.g. health, education, social, leisure and cultural facilities) in different locations suited to the local community's needs.*

Planning Policy Framework

The Planning Policy Framework (PPF) includes State planning policies that apply in all planning schemes across the State. This includes existing State policies relating to development and infrastructure contributions.

Clause 19.03-1S (Development and infrastructure contributions plans) clause includes an objective *to facilitate the timely provision of planned infrastructure to communities through the preparation and implementation of development contributions plans and infrastructure plans*. Strategies to support this objective include:

- *Prepare development contributions plans and infrastructure contributions plans, under the Planning and Environment Act 1987, to manage contributions towards infrastructure.*
- *Collect development contributions on the basis of approved development and infrastructure contributions plans.*

2. Background

In 2015, Amendment C133 to the Moreland Planning Scheme was approved by the Minister for Planning. This amendment introduced the *Moreland Development Contributions Plan 2015* (DCP 1.0) into the planning scheme and applied Schedule 1 to the Development Contributions Plan Overlay (DCPO1) to all land in the municipality.

DCP 1.0 Overview

The DCP 1.0 included:

- 842 projects that had a total cost of \$114,921,542 (in 2012 at the time of its creation)
- 10-year timeframe based on a 10-year CWP delivered between 2013/14 to 2022/23.
- Anticipated cost recovery of approximately of 11% (i.e. income for Council), where collection of levies would cease after the DCP expiry, being 30 June 2023.

Schedule 1 to the Development Contributions Plan Overlay

The Development Contributions Plan Overlay (DCPO) is a planning tool that enables councils to implement a DCP. In Merri-bek, a schedule to the DCPO sets out areas where development contributions are required to fund infrastructure, services, and works prior to development.

While DCPO1 itself does not trigger a planning permit, it applies to permit applications for land subdivision or for buildings and works within the DCPO area. This ensures that developments comply with the requirements of the DCP, including the obligation to contribute to infrastructure funding.

These provisions will also apply to any future DCPO Schedules adopted by Council.

Amendments to DCP 1.0

The DCP 1.0 played a key role in supporting the delivery of essential infrastructure across the municipality. However, delivering the full list of projects within the original 10-year timeframe proved challenging due to the number of projects in the DCP and an 18-month amendment process that effectively reduced the delivery window.

In response, Council undertook Amendment C215more to extend the DCP's infrastructure completion date for an additional 3 years to 30 June 2026. There was no change to the collection date for the levies/contributions.

Council initiated a further review of DCP 1.0 in 2022. This review focused on the DCP project list, with the goal of establishing a revised list of infrastructure projects for delivery by 2026 that reflected changes to Council's CWP and updated Council policy and strategic priorities. The updated project list formed the revised DCP incorporated document, the '2015 DCP Addendum', and was introduced in the Merri-bek Planning Scheme through Amendment C221more.

These delivery challenges highlight the importance of a more focused project list and a longer implementation timeframe to support timely and effective outcomes.

3. Issues

Need for a new DCP

Council ceased collecting DCP levy income from DCP 1.0 on 1 July 2023. Since its adoption in 2015, Merri-bek's population has grown significantly—from 167,870 in 2015 to 191,747 in 2025. Continued housing development is expected to drive further growth, with the population projected to increase by approximately 40,000 people (or 21%) by 2040.

To support this growth, a new DCP is required. It will enable Council to continue to collect contributions from new development, ensuring the cost of infrastructure provision is shared between current and future communities.

The *Merri-bek Development Contributions Plan, April 2025* (DCP 2.0) spans a 15-year period to 2040. It was prepared by technical experts and has been designed and developed to overcome issues experienced in the delivery of DCP 1.0, including:

- Refining the project list to contain projects that have a level of certainty based on their documented need in a Council strategic document.
- Aligning the costs of the projects with costings set out in the 2024-2028 Council Budget and CWP.
- Ensuring the road and drainage program detailed in the project list is based on Councils Condition Based Program.
- Adopting a 15-year timeframe, which offers opportunities to review projects and find replacement projects where council commitments change.
- The project list having a list of projects distributed across the municipality which would help with finding replacement projects if identified in a review process.

A copy of DCP 2.0 has been provided at **Attachment 1**.

Implementation of DCP 2.0

A DCP must be incorporated into a planning scheme before any infrastructure levies can be collected from new development. Amendment C236mbek proposes to amend the Merri-bek Planning Scheme to introduce DCP 2.0 by:

- Inserting a new Schedule at Clause 45.06 Development Contributions Plan Overlay that references DCP 2.0 and sets out a summary of the costs and contributions prescribed in the DCP (DCPO2).
- Apply the DCPO2 to all areas identified in the DCP 2.0 where levies will be collected from new development.
- Amend Schedule to Clause 72.04 Documents Incorporated in this Planning Scheme to list DCP 2.0 as an incorporated document.

A copy of the amendment documentation is provided at **Attachment 2**.

Levy calculation methodology

A DCP sets a levy charged to new residential, commercial and industrial development to part fund an adopted list of infrastructure projects required to meet demand created by population growth. This enables the cost of these infrastructure projects to be shared equitably between current and future communities.

The methodology used to calculate the development contribution levy is the cost apportionment method which is set out in the DCP Guidelines and is detailed in Section 5.0 of DCP 2.0 at **Attachment 1**.

Broadly speaking the calculation is based on the 'nexus principle' where new development is charged for the delivery of infrastructure it will ultimately benefit from. Costs are apportioned according to projected share of infrastructure usage by new development. An allowance for 'external demand' is also included - this accounts for development outside the DCP area or beyond its timeframe that will still benefit from the infrastructure.

Criteria for inclusion of projects in DCP 2.0

The selection of projects for DCP 2.0 was based on specific criteria outlined in the Ministerial Direction and DCP Guidelines, which define strict rules for eligible projects. Projects included must:

- Be used by a broad cross-section of the community.
- Serve a neighbourhood-sized catchment or larger area.
- Be a capital works item or set out in a Council adopted strategy.
- Be an upgrade of existing infrastructure, or a new item of infrastructure (general maintenance projects cannot be included).
- Not be an open space project, as these will be funded through the Public Open Space Contribution (POSC).
- Have a value above \$10,000. Projects with a value of less than \$10,000 are largely related to maintenance.
- Commence from July 2026 and can be delivered within the 15-year DCP period. This is to ensure all eligible projects have not commenced prior to the amendment process.

The list of projects included in DCP 2.0 is based on Council's 2024-2028 Capital Works Program (CWP), Council's 10-year Asset Plan (2022-2023 to 2031-2032) and a road program identified from Council's Road condition audit undertaken in September 2024. This demonstrates Council's commitments to delivering the projects within the nominated 15-year timeframe.

Overall, DCP 2.0 includes a total of 25 infrastructure projects with a combined value of \$158,341,503, with 15 per cent of the cost attributable to new development over a 15-year period. The projects can be summarised as:

- 12 road programs capturing 109 individual road/drainage projects.
- 3 drainage upgrades.

- 1 streetscape upgrades.
- 2 education-based community infrastructure projects.
- 7 Community infrastructure projects.

Details of the projects are contained in Table 6 of **Attachment 1**.

Levy payable for new development

DCP 2.0 is proposed to cover all land within the municipality and applies to all new residential, commercial, and industrial development commencing in the 2026/2027 financial year (subject to exhibition outcomes and ministerial approval and gazettal of the amendment).

For the purposes of DCP 2.0, each suburb represents one charge area (total of 12 charge areas). This structure allows levies to reflect the specific infrastructure demand and cost apportionment within each suburb. All development within a particular charge area will be required to pay the same contribution amount per demand unit.

Tables detailing the contributions payable for residential, commercial, and industrial development are set out in the new Schedule 2 to the Development Contribution Plan Overlay (DCPO2) which is contained in **Attachment 2**.

As can be seen from these tables, the charge per new dwelling ranges from \$304 in Brunswick to \$2,667 in Coburg. The charge per 100m² of commercial floor area ranges from \$2.30 in Brunswick to \$28.24 in Hadfield. For 100m² of industrial floor area, the charge ranges from \$2.40 in Brunswick to \$29.29 in Hadfield.

Some development is exempt from paying infrastructure levies. Section 6.5 of DCP 2.0 sets out this development which includes:

- A non-government school as defined in the Ministerial Direction.
- Housing developed by or for the Department of Health and Human Services as defined in the Ministerial Direction.
- A small second dwelling as defined in the Ministerial Direction.
- Alterations and additions to an existing dwelling.
- Outbuildings normal to an existing dwelling and fences.
- Reinstatement of a dwelling which has been unintentionally damaged or destroyed.

15-year Timeframe

DCP 2.0 is proposed to have a 15-year timeframe to receive contributions and deliver projects. A 15-year timeframe will strike an acceptable balance between managing the risk associated with delivering the DCP projects and leveraging forecasted growth and opportunities for periodic review, based on the following:

- Development forecasts confirm new development is expected to occur well beyond 15 years across the municipality
- The DCP 2.0 projects are costed and committed to in the 4-year Budget and 10-year Financial Plan
- The DCP 2 projects are planned to be delivered in the first 6 years of the 15-year period of the DCP, providing a large buffer to manage any delays and still deliver before the 2041 expiry.

Collection and administration of funds

The DCPO2 contained in **Attachment 2** sets out when the infrastructure levy is payable. This aligns with sections 46N and 46O of the Act and requires payment of the:

- Development infrastructure levy either prior to the issuing of a Statement of Compliance (but after Certification of the relevant plan) or prior to commencement of the development.
- Community infrastructure levy prior to the issuing of a Building Permit.

Council currently has an administrative policy in place which sets out the administrative processes to be followed when implementing DCP 1.0. Council officers are currently in the process of reviewing this policy to ensure it aligns with DCP 2.0 and best practice.

State Contribution Reforms

Last year, the State Government announced plans to develop a statewide approach to developer contributions. Since November 2024, an industry working group has been exploring models to better align infrastructure provision with housing growth.

As at the time of preparing this report, the working group has not released a report with findings/recommendations for a new DCP system, and there is currently no confirmed timeline for the introduction of a new statewide system.

Officers have been advised by State Government counterparts to progress a planning scheme amendment for a new DCP. Officers have been undertaking the technical work to support a planning scheme amendment for the last 18 months. Delaying this process to await future reforms would leave Council unable to collect infrastructure levies for an extended period, significantly impacting the delivery of vital community infrastructure.

To ensure flexibility, DCP 2.0 includes a mechanism for periodic review, enabling the project list to be updated in response to policy changes, development trends, or future reform outcomes.

Legal and risk considerations

DCP 2.0 is a legal instrument that obliges Council to deliver the infrastructure projects that are included on the DCP project list before the expiry date of the DCP.

If Council resolves to not proceed with any of the infrastructure projects listed in the DCP, the funds collected for these projects can be reallocated to new projects with the Minister for Planning's approval or refund the levies collected to affected landowners.

To address this risk, DCP 2.0 includes a four yearly review process to ensure that the DCP remains consistent with expected future development and infrastructure projects needs and costs.

Human Rights consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities and there are no adverse impacts. The human rights considered as part of the preparation of this report relate specifically to freedom, dignity, and equity.

The most relevant section of the Victorian Charter of Human Rights to the preparation of this report is property rights. This report does not deprive any party of any legal or proprietary interest in land, or the ability to use and develop that land in accordance with the planning regulatory framework. The amendment, if authorised, will go through a statutory process that includes public exhibition and consideration of submissions.

4. Community consultation and engagement

Public consultation will be conducted as part of the formal statutory exhibition process for the amendment. Subject to the timing of the Minister's authorisation of the amendment, it is anticipated that exhibition will occur in August/September 2025 for a period of four weeks after the notice of the amendment is published in the Government Gazette.

In accordance with section 19 of the Act, notice of the amendment via direct mail (or email) will be given to:

- Relevant Victorian Government departments.
- Prescribed Ministers.
- All abutting councils.

To comply with other notice requirements in section 19 of the Act, and to reach the wider community, the following will also be done:

- Notice of the preparation of the amendment in the Government Gazette and the Age newspaper.
- Copies of amendment documentation will be available on Council's website and hard copies will be made available to residents upon request.
- Communication through Council's social media platforms.
- Notice in any relevant Council publication available at the time of exhibition.
- To those industry professionals and development consultants who work on behalf of regular permit applicants.

Under section 19(1A) of the Act, it is considered impractical to individually notify owners and occupiers throughout the municipality of changes proposed under section 3 of this report.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and resources implications

Financial

Administrative costs associated with the processing of the amendment will be met within the base budget of the Strategic Planning Unit.

Once implemented into the Merri-bek Planning Scheme, DCP 2.0 will generate a significant income stream for Council and assist in delivering Council's CWP, particularly those infrastructure items forming part of DCP 2.0.

Based on a full development scenario, Council would collect approximately \$24.4 million over the life of the DCP towards the delivery of identified infrastructure items. However, if development occurs at a slower rate than predicted in DCP 2.0, Council will collect fewer contributions and will have to cover the funding gap through its general rates budget to deliver the specified infrastructure projects.

One of the key principles in compiling the project list for DCP 2.0 was to avoid over-commitment and this was done by selecting projects from Council's CWP and current road audit program. Community infrastructure projects have been included where there is a high degree of certainty that the project will be delivered.

This level of commitment also allows Council to manage any risks associated with a potential shortfall in development contributions due to a lower than anticipated rate of development, as Council will not over-commit to the delivery of infrastructure projects on an annual basis.

Resources

Council currently has an administrative policy in place which sets out the administrative processes to be followed when implementing DCP 1.0. Council officers are currently in the process of reviewing this policy to ensure it aligns with DCP 2.0 and best practice.

The administration of the DCP will have resourcing implications on several Council

Branches and Units, who will oversee the levying of the DCP, receipt of payments and oversight of project delivery. It is expected that resourcing and governance oversight of the DCP will be met through existing resourcing within relevant Branches and Units in a similar way to how the DCP 1.0 has been administered. If it is considered that additional resources are required, this will be outlined in a future report to Council, when adoption of the amendment is being considered.

7. Implementation

The following timelines for the amendment are broken down into the key 'decision gateways' for Council. The timeline is approximate and subject to Ministerial approval timelines and Planning Panels Victoria reporting and assumes an August/September 2025 exhibition period.

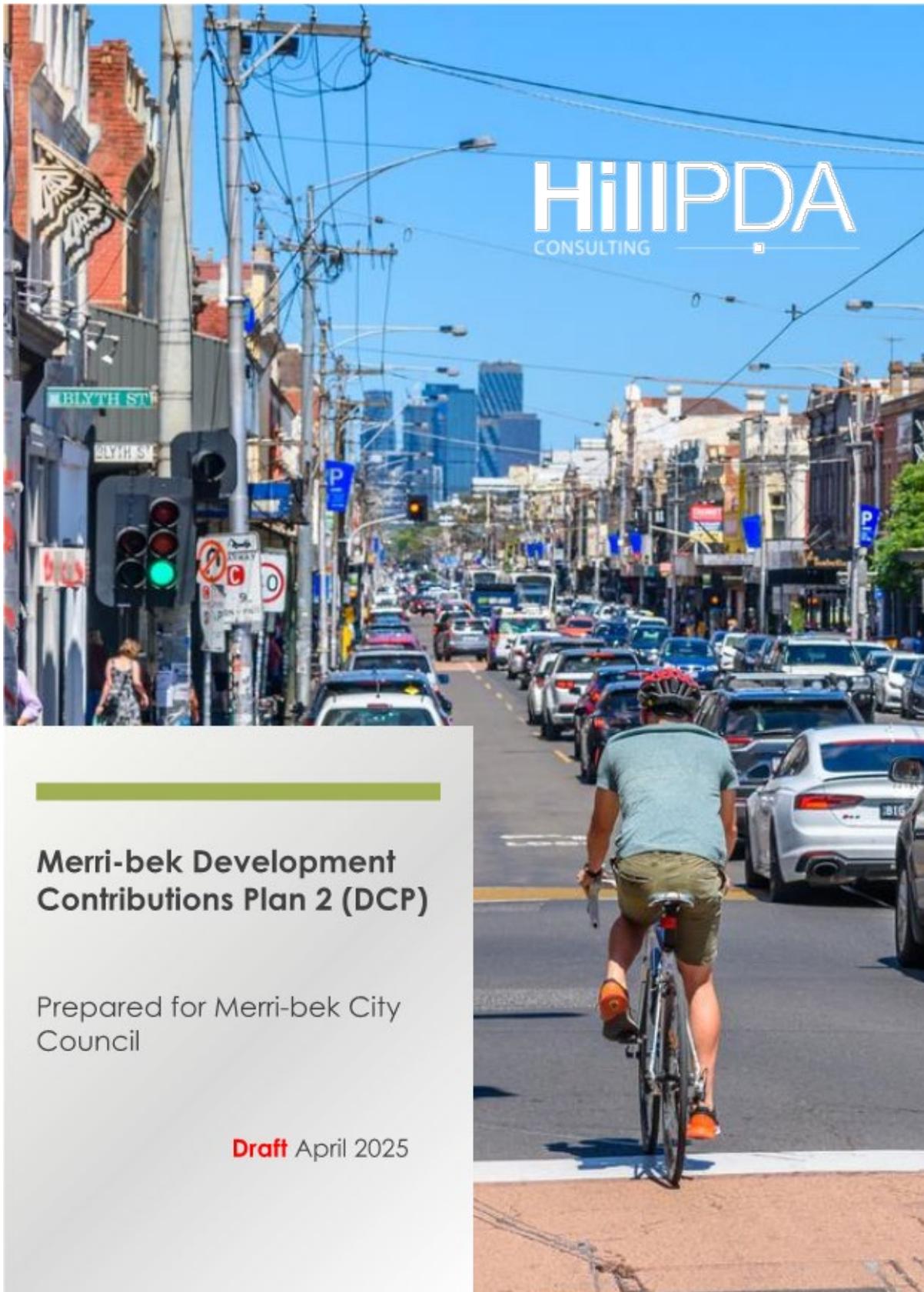
Decision Gateway 1: Authorisation and exhibition (current report)

Decision Gateway 2: Submission Review and Panel Request
(November/December 2025)

Decision Gateway 3: Panel report review and approval request (May 2026)

Attachment/s

- 1 Merri-bek Development Contributions Plan 2, April 2025 D25/206836
- 2 Proposed Planning Scheme Changes D25/204549



**Merri-bek Development
Contributions Plan 2 (DCP)**

Prepared for Merri-bek City
Council

Draft April 2025



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Source of front cover image: iStock

We acknowledge the Traditional Owners of this land and the Wurundjeri Woi-wurrung people of the local area we represent.



1.0 INTRODUCTION

1.1 Background

Merri-bek City Council has an ongoing infrastructure provision program. This includes a program to provide new infrastructure, upgrade existing infrastructure and replace infrastructure that has reached the end of its useful life.

The municipality is experiencing infill development, urban renewal in some areas and development in and around activity centres.

Council has previously used a municipal Development Contributions Plan (DCP) to help fund and deliver infrastructure to support new development and the existing community.

The first version of the municipal DCP was implemented in 2015 and reviewed in 2022. The review substituted some of the infrastructure projects and extended the date by which projects must be completed and/or started to 30 June 2026. DCP levy income collection expired on 30 June 2023.

Council has developed this version 2 DCP to take effect from 1 July 2026. This DCP contains a new list of infrastructure projects and levies.

This DCP is planned to operate for 15 years, to 30 June 2041, unless Council decides to end the DCP earlier.

1.2 Development Contributions Plan (DCP)

This DCP is a planning instrument that nominates some of the infrastructure Merri-bek City Council will construct in the DCP Area and establishes associated development contribution levies for that infrastructure, as enabled by the *Planning and Environment Act 1987* and shown in the Merri-bek Planning Scheme as Schedule 1 to the Development Contributions Plan Overlay.

The DCP has been prepared to ensure that the cost of providing the nominated infrastructure is shared between developers and the wider community on a fair and reasonable basis. This DCP has been developed in accordance with relevant legislation, directions and guidelines to:

- Nominate selected infrastructure within Merri-bek, that Council will deliver
- Apportion the cost of the nominated infrastructure over likely users of the infrastructure to the end of the planning horizon, being 2041 in this DCP
- Establish the DCP levies (development contribution) for various development types
- Explain the method of DCP preparation and levy calculation, and
- Document DCP payment and administrative procedures.



1.3 DCP Area and Charge Areas

The DCP Area is the City of Merri-bek as a whole.

Differential DCP levies apply within the DCP Area, for 12 Charge Areas (based on the location, cost and catchment area of infrastructure in relation to development in the areas).

The Charge Areas are shown in Figure 1, and listed as follows:

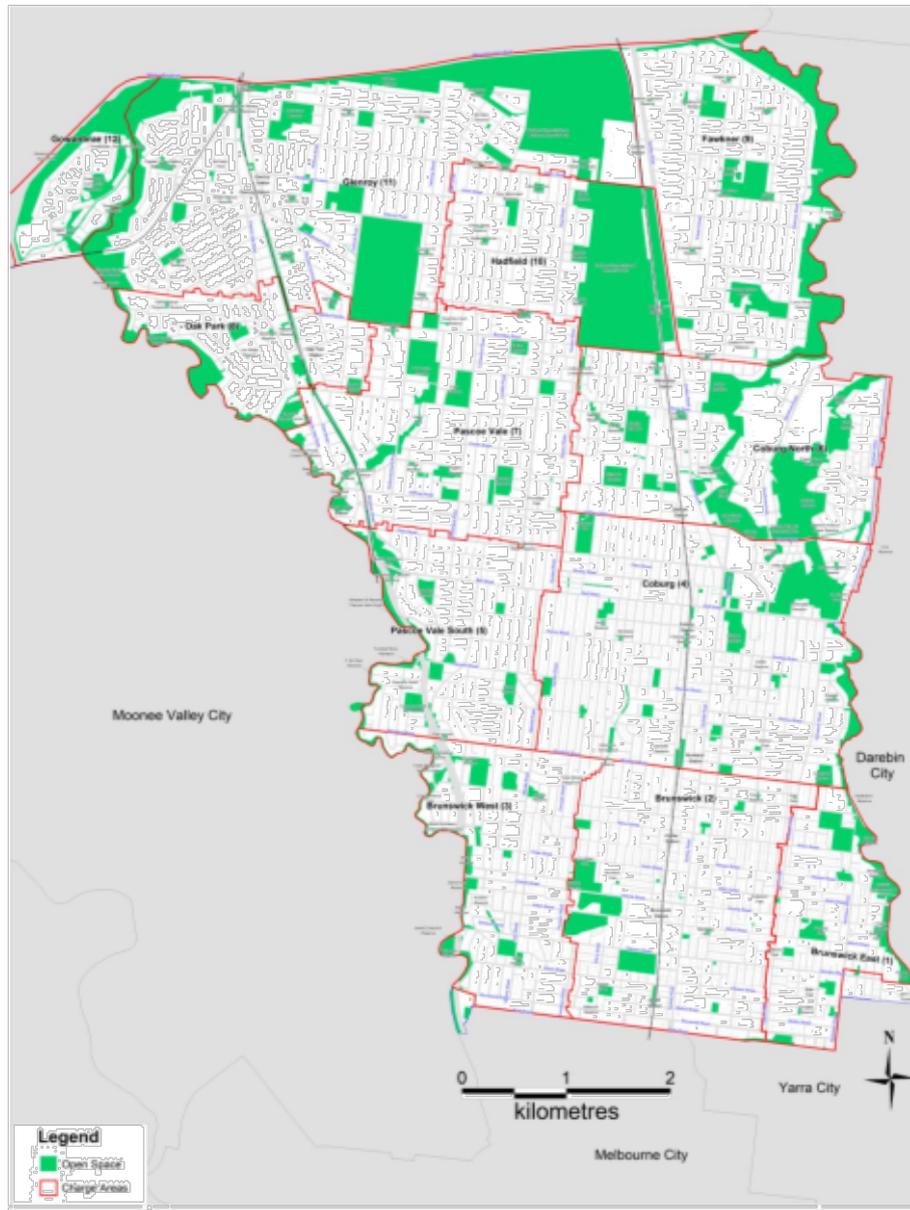
- Area 1 Brunswick East/North Fitzroy
- Area 2 Brunswick
- Area 3 Brunswick West
- Area 4 Coburg
- Area 5 Pascoe Vale South
- Area 6 Coburg North
- Area 7 Pascoe Vale
- Area 8 Oak Park
- Area 9 Fawkner
- Area 10 Hadfield
- Area 11 Glenroy
- Area 12 Gowanbrae/Tullamarine.

1.4 Acknowledgement

This DCP has been prepared by HillPDA with the assistance of Merri-bek City Council officers. Council officers provided infrastructure project information and cost estimates, information regarding development data and advice regarding DCP project selection and specifications.



Figure 1: Merri-bek DCP Area and Charge Areas



Source: Merri-bek City Council GIS data



2.0 STRATEGIC BASIS

2.1 Legal Basis

Planning and Environment Act 1987

The *Planning and Environment Act 1987*, at Part 3B states the purpose of a Development Contributions Plan for 'levying contributions is for the provisions of works, services and facilities'. The Act sets out the broad structure and requirements for a DCP.

According to the Act, projects are classified as either:

- Development infrastructure (DI), or
- Community infrastructure (CI).

Development infrastructure is defined as infrastructure required for basic community health, safety or wellbeing. This may involve roads, paths, drainage and basic community infrastructure items.

Community infrastructure includes construction of all other buildings or facilities used for community or social purposes. Some community facilities are defined by the relevant Ministerial Direction as development infrastructure and for which a Development Infrastructure Levy may be imposed. This includes facilities such as kindergartens, childcare centres and maternal and child health care facilities.

The Act enables Council to include a condition on a planning permit for:

- Paying DCP levies within a specified time or within a time specified by Council, and
- Entering into an agreement for payment of levies within a time specified by Council.

In circumstances where DCP levies are payable and a planning permit for development is not required, Council can require payment, or enter into an agreement for payment, before the issuing of a building permit.

The Act states the amount of the Community Infrastructure Levy is capped. The cap is \$1,450 per dwelling in the 2024-25 financial year. It is indexed pursuant to a statutory formula.

No cap applies to the Development Infrastructure Levy.

Ministerial Direction on the Preparation and Content of Development Contributions Plans and Ministerial Reporting Requirements for Development Contributions Plans, Minister for Planning, 11 April 2025

The Ministerial Direction has two parts. The first gives direction on the preparation and content of development contributions plans, with a focus on defining Development Infrastructure and Community Infrastructure. The second sets out the requirements for annual DCP reporting.



Development Contributions Guidelines 2007 (State of Victoria)

The Development Contributions (DCP) Guidelines 2007 provide detailed guidance on the method to prepare a full cost apportionment development contributions plan. The DCP Guidelines 2007 contains the following statement with respect to the role of a development contributions plan:

- “Planning ahead is part of a council’s strategic planning and service delivery responsibility. In greenfield areas, provision of new infrastructure to keep pace with urban development will be a priority. In established urban areas, upgrading the existing infrastructure may be necessary because of the redevelopment of existing sites, changing community expectations, changing standards of provision or the need to replace an existing infrastructure that has reached the end of its economic life.”

The DCP Guidelines 2007 state that the broad types of projects included in a development contributions plan include:

- “New item of infrastructure.
- An upgrade in the standard of provision of an existing infrastructure item.
- An extension to an existing facility.
- The total replacement of an infrastructure item after it has reached the end of its economic life.”

Operational and recurrent expenditure such as maintenance costs for infrastructure cannot be funded by a development contributions plan.

The following lists works, services or facilities that may be funded from a Development Infrastructure Levy (DIL):

- Acquisition of land for roads, public transport corridors, drainage, public open space, and community facilities including (but not limited to) those listed under the last dot point in this list.
- Construction of roads, including the construction of bicycle and foot paths, and traffic management and control devices.
- Construction of public transport infrastructure, including fixed rail infrastructure, railway stations, bus stops and tram stops.
- Basic improvements to public open space, including earthworks, landscaping, fencing, seating and playground equipment.
- Drainage works including Water Sensitive Urban Design (WSUD) projects. However, any WSUD project costs in a DCP cannot also form part of a future voluntary offset scheme, which can relate to separate WSUD project costs. Overlaps in project costs must be avoided.
- Buildings and works for or associated with the construction of maternal and child health centres, child care centres, kindergartens or any centre which provides these facilities in combination.



The Community Infrastructure Levy (CIL) can be used for the construction of buildings or facilities used for community or social purposes. Examples include libraries, community halls, aquatic centres and sporting pavilions.

The following lists the costs that can be included in the calculation of levies under a development contributions plan:

- The capital costs of providing the infrastructure projects.
- The cost of financing the infrastructure projects, if provided early in the life of the development contributions plan.
- The design costs associated with the infrastructure projects.
- The cost of preparing and approving the development contributions plan.

The infrastructure need created by the development and the measures to satisfy the need must be adequately identified.

Local Government Act 2020

The *Local Government Act 2020* outlines the role of local government in that a council must endeavour to achieve the best outcomes for the local community by providing equitable and accessible services that are efficiently and effectively managed.

Building Act 1993

The *Building Act 1993* requires building surveyors to ensure any requirement in a planning scheme is met before issuing a building permit. This includes enforcing the payment of a Community Infrastructure Levy and / or a Development Infrastructure Levy to a council under a development contributions plan.

2.2 Policy and Strategy Basis

The policy and strategy basis for planning, development and infrastructure provision in Merri-bek is extensive. A summary is provided in Appendix A. This comprises:

- Planning Scheme and Planning Policy Framework
- Plan for Victoria 2025
- 4-Year Budget 2024/2028
- 10-Year Asset Plan 2022-2023 to 2031-2032
- 10-Year Financial Plan 2021/2022 to 2030/2031
- Active Women and Girls in Merri-bek Strategy
- A Job in Merri-bek (2021)
- Aquatic and Leisure Strategy 2018-38
- Art Acquisition and Collection Development 2018-2023
- Asset Management Policy (2019)
- CB Smith Reserve - Sport and Education Facility Management Plan 2017
- Charles Mutton Precinct Plan (2018)



- Climate Risk Strategy (2022)
- Community Infrastructure Plan 2022-2032
- Community Vision (2031)
- Development Contributions Plan Administration Policy (2021)
- Disability Access and Inclusion Plan 2022-2026
- Drainage Improvement Plan (2020)
- Full Frontal - A Strategy for Merri-bek's Young People (2019)
- Housing Capacity Study (2022)
- Integrated Water Management Strategy 2040
- Library Services Strategy (2019)
- Merri-bek Children, Young People and Families Plan 2021-2025
- Merri-bek Council Plan 2021-2025
- Merri-bek Industrial Land Use Strategy 2015-2030
- Moving Around Merri-bek (2024)
- Merri-bek Nature Plan (2020)
- Merri-bek Neighbourhood Centres Strategy (2017)
- Merri-bek Open Space Strategy (2024)
- Merri-bek Urban Heat Island Effect Action Plan 2016/17-2025-26
- Public Health and Wellbeing Act Management Policy (2023)
- Public Lighting Policy (2018)
- Road Management Plan (2021)
- Shopping Strip Renewal Policy (2015)
- Sport and Active Recreation Strategy (2020)
- Urban Forest Strategy 2017-2027.

The policy and strategy basis is used to define the Capital Works Plan and priority infrastructure projects for delivery. It is from this basis the DCP projects were selected by Council.



3.0 DEVELOPMENT CONDITIONS

3.1 Development Categories

The development types identified in this DCP are Residential, Commercial and Industrial land use developments.

Residential refers to a dwelling unit, irrespective of type, such as separate dwelling, townhouse or apartment unit.

Commercial refers to retail, office or other commercial uses and is measured on the basis of square metres of gross floorspace.

Industrial refers to factories, warehouses, depots or other industrial uses and is measured on the basis of square metres of gross floorspace.

Appendix B of this DCP provides definitions for land uses and development units.

3.2 Development Data

The basis for the development data in this DCP is provided by the following two reports:

- Merri-bek Planning for Population Growth (Quantify Strategic Insight for Merri-bek City Council, June 2024)
- Merri-bek Worker Population Floorspace Forecasts (Quantify Strategic Insight for Merri-bek City Council, August 2024).

Council's property rates data base was used to estimate existing conditions.

For the municipality as a whole, in the period 2026 to 2041, development is expected to change as follows:

- 16,658 additional dwellings
- 352,497 sqm of additional commercial floorspace, and
- 41,775 sqm decline in industrial floorspace.

The development data for this DCP is shown in Tables 1 and 2 below.

**Table 1: Development Projections, 2026-2041**

Area No.	Area Name	Residential Dwellings		Commercial SQM		Industrial SQM	
		2026	2041	2026	2041	2026	2041
Area 01	Brunswick East/North Fitzroy	8,370	9,441	112,677	156,507	98,599	73,279
Area 02	Brunswick	15,628	20,639	373,842	449,212	386,950	358,450
Area 03	Brunswick West	7,961	8,554	49,512	60,762	14,600	16,280
Area 04	Coburg	32,687	15,697	256,636	311,836	54,477	47,037
Area 05	Pascoe Vale South	4,182	4,594	47,825	63,005	1,097	1,097
Area 06	Coburg North	3,596	3,968	249,591	319,776	507,112	524,392
Area 07	Pascoe Vale	8,016	9,636	60,797	81,662	83,989	82,864
Area 08	Oak Park	3,711	4,402	13,113	22,638	540	540
Area 09	Fawkner	5,533	6,461	95,224	102,934	91,165	91,315
Area 10	Hadfield	2,787	3,458	32,194	37,369	10,406	10,406
Area 11	Glenroy	10,569	13,430	144,826	190,726	45,471	46,971
Area 12	Gowanbrae/Tullamarine	1,214	1,262	3,243	5,850	0	0
Total		84,254	100,912	1,449,580	1,802,077	1,294,406	1,252,631

Source: Merri-bek Planning for Population Growth (Quantify Strategic Insight for Merri-bek City Council, June 2024); Merri-bek Worker Population Floorspace Forecasts (Quantify Strategic Insight for Merri-bek City Council, August 2024)

Table 2: Projected Change in Development, 2026-2041

Area No.	Area Name	Residential Dwellings		Commercial SQM		Industrial SQM	
		Change in DCP Period	Change in DCP Period	Change in DCP Period	Change in DCP Period	Change in DCP Period	Change in DCP Period
Area 01	Brunswick East/North Fitzroy	1,071	12.8%	43,830	38.9%	-25,320	-25.7%
Area 02	Brunswick	4,411	28.2%	79,270	20.1%	-28,500	-7.4%
Area 03	Brunswick West	593	7.4%	11,250	22.7%	1,680	11.5%
Area 04	Coburg	3,010	23.7%	45,000	16.9%	-7,440	-13.7%
Area 05	Pascoe Vale South	412	9.9%	15,180	31.7%	0	0.0%
Area 06	Coburg North	342	9.5%	70,185	28.1%	17,280	8.4%
Area 07	Pascoe Vale	1,620	20.2%	20,985	34.3%	-1,125	-1.3%
Area 08	Oak Park	691	18.6%	9,525	72.6%	0	0.0%
Area 09	Fawkner	928	16.8%	7,710	8.1%	150	0.2%
Area 10	Hadfield	671	24.1%	5,175	16.1%	0	0.0%
Area 11	Glenroy	2,861	27.1%	45,900	31.7%	1,500	3.3%
Area 12	Gowanbrae/Tullamarine	48	4.0%	2,607	80.4%	0	-
Total		16,658	19.8%	352,497	24.3%	-41,775	-3.2%

Source: Merri-bek Planning for Population Growth (Quantify Strategic Insight for Merri-bek City Council, June 2024); Merri-bek Worker Population Floorspace Forecasts (Quantify Strategic Insight for Merri-bek City Council, August 2024)



3.3 Development and Infrastructure Nexus Principles

This DCP includes infrastructure projects under the following categories: Community Facility, Path, Road and Drainage.

For community facility items, only residential development is included in the cost apportionment and subject to DCP levies. This is because the resident population is assessed as the main user of such infrastructure. For all other infrastructure (i.e. paths, roads and drainage), all development types are deemed users of the infrastructure and are included in cost apportionment and subject to DCP levies.

3.4 Equivalence Ratios and Total Demand Units

In accordance with DCP Guidelines 2007 where more than one land use is deemed to make use of an infrastructure category, it is necessary to convert the land use types into a common demand unit before development contribution calculations are made. This is done by using equivalence ratios.

The common demand unit in this DCP is one dwelling. The ratios to express commercial and industrial development types as one dwelling for path, road and drainage infrastructure projects is shown in Table 3 below.

The commercial ratios are based on data in the DCP Guidelines 2007 and other adopted DCPs for retail and office uses. The industrial ratios are based on data in the DCP Guidelines 2007 and other adopted DCPs.

Table 3: Equivalence Ratios

Infrastructure Type	Residential	Commercial	Industrial
	Dwelling Units	Sqm Gross Floorspace	Sqm Gross Floorspace
Community Facility	1	-	-
Path	1	63	500
Road	1	70	67
Drainage	1	100	200

Source: HillPDA based on DCP Guidelines 2007

DCP levy calculations are based on total demand units at the end of the planning horizon, in this case 2041. The change in demand units data (i.e. 2026 to 2041) is used to estimate possible DCP levy income.

Table 4 below shows total demand units (equivalent dwellings) at 2041, for the municipality as a whole, as follows:

- 100,912 demand units for community facilities
- 132,250 demand units for paths
- 145,352 demand units for roads, and
- 125,196 demand units for drainage.



The applicable demand units used in a project calculation depends on its catchment and infrastructure type.

Table 4: Total Demand Units, 2041

Area No.	Area Name	Community Facility CIL	Community Facility DiL	Path	Road	Drainage
Area 01	Brunswick East/North Fitzroy	9,441	9,441	12,092	12,771	11,372
Area 02	Brunswick	20,039	20,039	27,943	31,806	26,323
Area 03	Brunswick West	8,554	8,554	9,559	9,665	9,243
Area 04	Coburg	15,697	15,697	20,777	20,851	19,049
Area 05	Pascoe Vale South	4,594	4,594	5,604	5,510	5,230
Area 06	Coburg North	3,938	3,938	10,103	16,333	9,758
Area 07	Pascoe Vale	9,636	9,636	11,108	12,039	10,867
Area 08	Oak Park	4,402	4,402	4,765	4,733	4,631
Area 09	Fawkner	6,461	6,461	8,291	9,294	7,947
Area 10	Hadfield	3,458	3,458	4,077	4,147	3,884
Area 11	Glenroy	13,430	13,430	16,576	16,856	15,572
Area 12	Gowanbrae/Tullamarine	1,262	1,262	1,356	1,346	1,321
Total		100,912	100,912	132,250	145,352	125,196

Source: HillPDA derived from 2041 development data and equivalence ratios shown above



4.0 INFRASTRUCTURE PROJECTS

4.1 DCP Infrastructure

This DCP is a mechanism used to levy new development to contribute towards planned infrastructure nominated for delivery in the DCP area.

In accordance with the *Planning and Environment Act 1987*, the State Government's DCP Guidelines 2007 and associated Ministerial Directions, the types of projects that are able to be funded through a DCP may include the following:

- A new item of infrastructure
- An upgrade to the standard of provision of an existing infrastructure asset or facility
- An extension to an existing asset or facility, and
- The replacement of an infrastructure item after it has reached the end of its economic life.

To determine infrastructure projects that are included in the DCP, the infrastructure must be used by a broad cross section of the community and serve a neighbourhood sized catchment area or larger area. The types of infrastructure projects that may be included within a DCP must be either:

- Basic to health, safety or well-being of the community, or
- Consistent with the community expectations of what is required to meet its health, safety or well-being.

The DCP infrastructure must be a capital works items (not a recurrent or operational cost item) and must be committed for delivery by Council.

4.2 Infrastructure Subject to DCP Funding

Within this context, Merri-bek City Council assessed planned infrastructure projects listed from its Capital Works Plan and other planning work in progress, and through a process of review and refinement, selected projects for inclusion in the DCP. The final list selected for the DCP has 25 projects with a cost of \$158.3 million. Some of the projects are grouped. This applies to local road works in a suburb that are classified as one line item.

Table 5 below provides a summary of the projects by type. Table 6 lists each project that is included in this DCP. The location of each project is shown in Figure 2.

**Table 5: Summary of DCP Projects**

Facility Type and Code	Total Cost	Number	Average Cost
Community Facility CIL	\$59,150,000	7	\$8,450,000
Community Facility DIL	\$11,750,000	2	\$5,875,000
Path	\$2,020,000	1	\$2,020,000
Road	\$83,415,503	12	\$6,951,292
Drainage	\$2,006,000	3	\$668,667
Total	\$158,341,503	25	\$6,333,660

CIL=Community Infrastructure Levy; DIL= Development Infrastructure Levy

Source: Merri-bek Infrastructure project list and cost estimates

Table 6: DCP Projects

Project Number	Project Category	Project Name	Reference Document	Estimated Cost	Project Type	Main Catchment Area (MCA)
1	Streetscape upgrade	Post Office Place streetscape upgrade	Glenroy Structure Plan 2006, Glenroy Streetscape Masterplan 2012; CAPEX 2024-29; Council Budget 2024-28	\$2,020,000	PADI	Area 11
2	Childcare Facility Upgrade	Dawson Street Child Care Co-op	Early Years Infrastructure Plan 2022-2030 Community Infrastructure Plan 2022-2032 Capital Works Program 2027/28 Capital Works Program 2028/29 Council Budget 2024-28	\$3,100,000	CFDI	Area 01 Area 02 Area 03
3	Early Years Infrastructure Upgrade	Hadfield Early Years Centre	Capital Works Program 2026/27, Capital Works Program 2027/28, Capital Works Program 2028/29, Council Budget 2024-2028, Early Years Infrastructure Plan 2022-2030, Community Infrastructure Plan 2022-2032, Feasibility Report D16/225390	\$8,650,000	CFDI	Area 07 Area 10 Area 11
4	Library Upgrade	Brunswick Library Refresh	Community Infrastructure Plan 2022-2032, Capital Works Program 2027/28, Capital Works Program 2028/29, Capital Works Program 2029/30, Council Budget 2024-2028	\$1,750,000	CFCI	Area 01 Area 02 Area 03 Area 04 Area 05
5	Library Upgrade	Coburg Library Redevelopment	Community Infrastructure Plan 2022-2032, Capital Works Program 2026/27, Capital Works Program 2027/28, Capital Works Program 2028/29, Capital Works Program 2029/2030, Council Budget 2024-2028	\$52,000,000	CFCI	Area 04 Area 05 Area 06 Area 07
6	Community Hall Upgrade	Coburg Townhall Upgrade	Community Infrastructure Plan 2022-2032 Capital Works Program 2026/27 Council Budget 2024-28	\$2,400,000	CFCI	Area 01 Area 02 Area 03 Area 04 Area 05 Area 06 Area 07 Area 08 Area 09 Area 10 Area 11 Area 12
7	Building Systems Upgrade	Brunswick Baths Plant Rehabilitation - Mechanics and BMS	Capital Works Program 2027/28 Council Budget 2024-28	\$500,000	CFCI	Area 01 Area 02 Area 03 Area 04 Area 05



Project Number	Project Category	Project Name	Reference Document	Estimated Cost	Project Type	Main Catchment Area (MCA)
8	Pool Upgrade	Brunswick Baths Outdoor Pool Re-Tiling	Capital Works Program 2026/27 Council Budget 2024-28	\$900,000	CFCI	Area 01 Area 02 Area 03 Area 04 Area 05
9	Pool Upgrade	Pascoe Vale Outdoor Pool - Painting and Tile Repairs of 3 pools	Capital works Program 2028/29, Capital works program 2029/30, Council Budget 2024-2028	\$200,000	CFCI	Area 01 Area 02 Area 03 Area 04 Area 05 Area 06 Area 07 Area 08 Area 09 Area 10 Area 11 Area 12
10	Library Upgrade	Fawkner Library Upgrade Works	Community Infrastructure Plan 2022-2032 Capital Works Program 2026/27; Capital Works Program 2028/29; Council Budget 2024-28	\$2,000,000	CFCI	Area 09 Area 10 Area 11
11	Reconstruction	Programmed Roads Reconstruction and Drainage Upgrades, Brunswick	Capital Works, Condition Based Program	\$5,384,435	RDDI	Area 02
12	Reconstruction	Programmed Roads Reconstruction and Drainage Upgrades, Brunswick East	Capital Works, Condition Based Program	\$5,684,085	RDDI	Area 01
13	Reconstruction	Programmed Roads Reconstruction and Drainage Upgrades, Brunswick West	Capital Works, Condition Based Program	\$2,283,765	RDDI	Area 03
14	Reconstruction	Programmed Roads Reconstruction and Drainage Upgrades, Coburg	Capital Works, Condition Based Program	\$25,646,275	RDDI	Area 04
15	Reconstruction	Programmed Roads Reconstruction and Drainage Upgrades, Coburg North	Capital Works, Condition Based Program	\$6,670,378	RDDI	Area 06
16	Reconstruction	Programmed Roads Reconstruction and Drainage Upgrades, Fawkner	Capital Works, Condition Based Program	\$2,904,440	RDDI	Area 09
17	Reconstruction	Programmed Roads Reconstruction and Drainage Upgrades, Glenroy	Capital Works, Condition Based Program	\$12,111,888	RDDI	Area 11
18	Reconstruction	Programmed Roads Reconstruction and Drainage Upgrades, Gowanbrae	Capital Works, Condition Based Program	\$990,000	RDDI	Area 12
19	Reconstruction	Programmed Roads Reconstruction and Drainage Upgrades, Hadfield	Capital Works, Condition Based Program	\$8,507,476	RDDI	Area 10
20	Reconstruction	Programmed Roads Reconstruction and Drainage	Capital Works, Condition Based Program	\$4,247,320	RDDI	Area 08

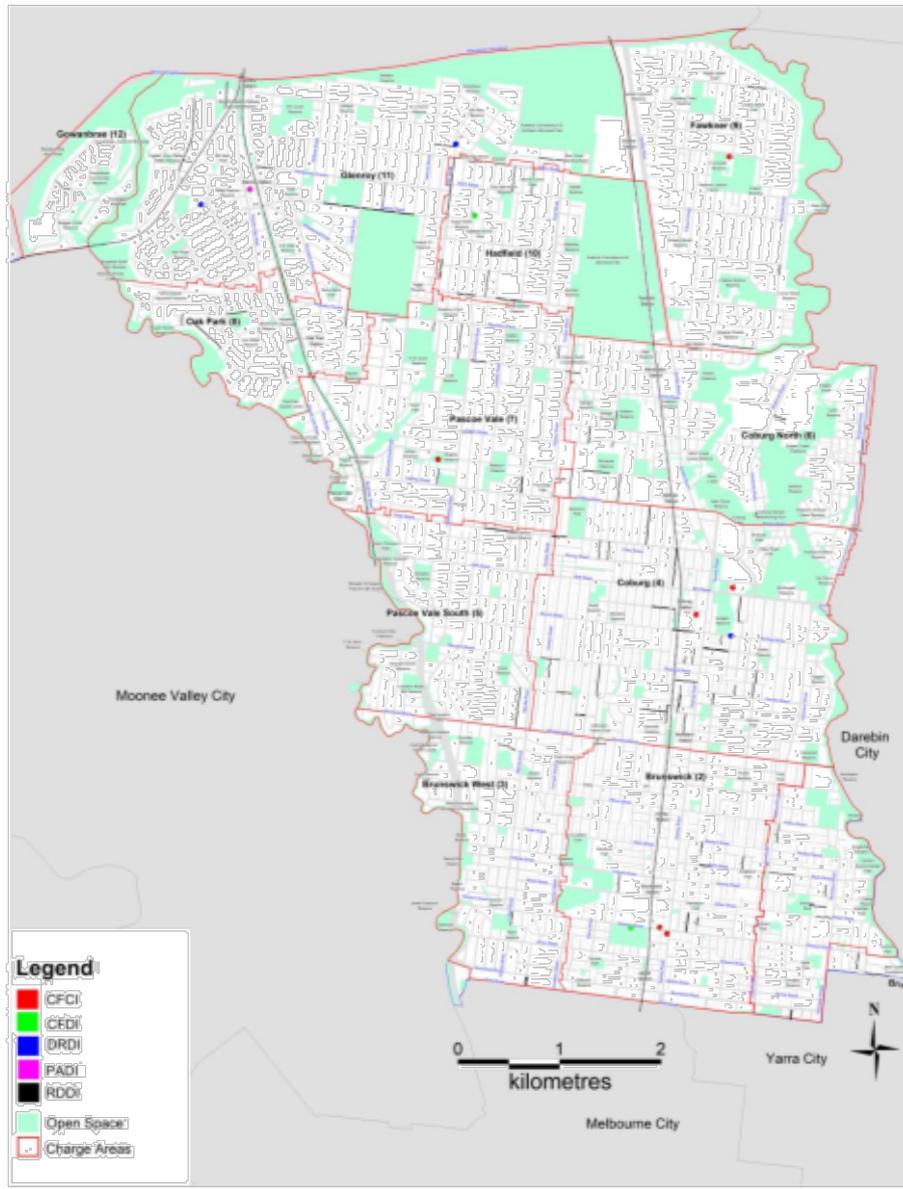


Project Number	Project Category	Project Name	Reference Document	Estimated Cost	Project Type	Main Catchment Area (MCA)
		Upgrades, Oak Park				
21	Reconstruction	Programmed Roads Reconstruction and Drainage Upgrades, Pascoe Vale	Capital Works, Condition Based Program	\$6,008,965	RDDI	Area 07
22	Reconstruction	Programmed Roads Reconstruction and Drainage Upgrades, Pascoe Vale South	Capital Works, Condition Based Program	\$2,076,479	RDDI	Area 05
23	Drainage upgrades	Drainage, Clovelly Avenue	Capital Works 2026-27 Council Budget 2027-2028	\$206,000	DRDI	Area 11
24	Drainage upgrades	Drainage, Sheffield Street to Chambers St - Engery Hot Spot No. 18	Capital Works 2026-27 Council Budget 2027-2028	\$980,000	DRDI	Area 04
25	Drainage upgrades	Drainage, West Street (Everard Street to Hilton Street) Engery Hot Spot No. 41	Capital Works 2026-27 Council Budget 2027-2028	\$820,000	DRDI	Area 10 Area 11

Source: Merri-bek Infrastructure project list and cost estimates



Figure 2: Location of DCP Projects



Source: Merri-bek City Council GIS data and infrastructure project data



5.0 DCP LEVIES

5.1 Infrastructure Funding Principles

The infrastructure nominated for this DCP has been located on a site or within an area and the cost of the infrastructure has been apportioned across the assessed catchment area for each project.

Development within the catchment area that is deemed to be a user of the infrastructure is included in the cost apportionment.

As noted previously, community facility items are related to residential development only whereas all other infrastructure (i.e. paths, roads and drainage) are related to all development types.

A share of the estimated use of the DCP projects can be attributable to development beyond the time horizon of the DCP and outside the DCP Area boundary. In accordance with DCP practice, an allowance for this 'external demand' is included in the cost apportionment calculations. This DCP has made a nominal 5% allowance for external demand for the DCP projects in accordance with DCP practice.

That is, the cost of the DCP infrastructure is allocated as follows:

- Existing development within the DCP area - the share of cost attributed to existing development is paid by Council given there is no means by which to levy such development under a DCP
- External demand allowance - the share of cost that is attributed to external demand is paid by Council on behalf of such users of infrastructure, and
- New development within the DCP Area - will pay its share of the cost of the DCP infrastructure via the planning and / or building permit process.

5.2 DCP Levy Calculation Method

In accordance with the DCP Guidelines 2007, the method to calculate DCP levies is as follows:

- List the infrastructure projects and costs included in the DCP (i.e. 26 projects estimated at \$157.3 million)
- Identify the main catchment area for each project (i.e. as shown in Table 6 above)
- Quantify development in each main catchment area (i.e. as shown in Section 3)
- Convert the development into common demand units to quantify the total demand for infrastructure (i.e. as shown in the previous report section)
- Account for external use of projects from beyond the catchment area of a project, or beyond the timeframe of the DCP, by making an external demand allowance (i.e. this DCP uses a nominate 5% allowance for this purpose)



- Calculate the infrastructure levy payable for each infrastructure project by dividing the cost apportioned to the DCP (after external demand) by the total number of demand units in the main catchment area (see Appendix C for project by project calculations)
- Sum project levies to a total DCP levy by category of Development Infrastructure Levy (DIL) and Community Infrastructure Levy (CIL).

5.3 DCP Levies

The residential levies (per dwelling) are shown in Table 7 below. As required by the *Planning and Environment Act 1987*, the residential levies are shown as Development Infrastructure Levy and Community Infrastructure Levy.

Table 7: Residential Levies (1 July 2024\$)

AREA		LEVIES PAYABLE BY RESIDENTIAL DEVELOPMENT		
Charge Area Number and Name		Development Infrastructure	Community Infrastructure	All Infrastructure
		Per Dwelling	Per Dwelling	Per Dwelling
Area 01	Brunswick East/North Fitzroy	\$500	\$66	\$566
Area 02	Brunswick	\$238	\$66	\$304
Area 03	Brunswick West	\$302	\$66	\$368
Area 04	Coburg	\$1,217	\$1,450	\$2,667
Area 05	Pascoe Vale South	\$513	\$1,450	\$1,963
Area 06	Coburg North	\$388	\$1,450	\$1,838
Area 07	Pascoe Vale	\$784	\$1,450	\$2,234
Area 08	Oak Park	\$852	\$24	\$877
Area 09	Fawkner	\$297	\$106	\$403
Area 10	Hadfield	\$2,299	\$106	\$2,405
Area 11	Glenroy	\$1,161	\$106	\$1,267
Area 12	Gowanbrae/Fullamaine	\$699	\$24	\$723

Source: HillPDA calculations

The non-residential levies (per square metre of gross floorspace) are shown in Table 8 below. This applies to Commercial Development and Industrial Development. Only the Development Infrastructure Levy applies to the non-residential development types.

**Table 8: Non-Residential Levies (1 July 2024\$)**

AREA		LEVIES PAYABLE BY NON-RESIDENTIAL DEVELOPMENT	
Charge Area Number and Name		Commercial	Industrial
		Per Square Metre (SQM) of Floorspace	Per Square Metre (SQM) of Floorspace
Area 01	Brunswick East/North Fitzroy	\$6.04	\$6.31
Area 02	Brunswick	\$2.30	\$2.40
Area 03	Brunswick West	\$3.21	\$3.35
Area 04	Coburg	\$17.18	\$17.68
Area 05	Pascoe Vale South	\$7.33	\$7.66
Area 06	Coburg North	\$5.54	\$5.79
Area 07	Pascoe Vale	\$6.77	\$7.08
Area 08	Oak Park	\$12.18	\$12.72
Area 09	Fawkner	\$4.24	\$4.43
Area 10	Hadfield	\$28.24	\$29.29
Area 11	Glenroy	\$12.13	\$10.68
Area 12	Gowanbrae/Tullamarine	\$9.99	\$10.43

Source: HillPDA calculations

5.4 Indexation of DCP Levies

The levies are based on costs derived in 2024 and are expressed as 1 July 2024 dollar values. The levies will be adjusted each year to account for inflation.

Where the DCP provides for a Community Infrastructure Levy at the Maximum Dwelling Amount as determined in accordance with section 46L(3) of the *Planning and Environment Act 1987*, it will be adjusted to the Maximum Dwelling Amount each year.

Where the DCP provides for a Community Infrastructure Levy of less than the Maximum Dwelling Amount, that levy will be adjusted annually on the 1st of July each year (or first practical date thereafter) in accordance with the Building Price Index for Melbourne shown in the Rawlinsons Australian Construction Handbook.

Where the DCP provides for a Development Infrastructure Levy, that levy will be adjusted annually on the 1st of July each year (or first practical date thereafter) in accordance with the Building Price Index for Melbourne shown in the Rawlinsons Australian Construction Handbook.

All adjustments will occur and take effect from 1 July in the financial year in which the adjustment is made.

A list showing the current contribution amounts may be viewed at Merri-bek City Council's website or by contacting the planning department.



5.5 Summary of DCP Costs and Collection

Table 9 provides a summary of anticipated future DCP levy collection compared to total DCP cost commitment by Council.

Based on the development data used in this DCP, it is estimated that about \$24.4 million (or 15% of the cost commitment) will be recovered by the DCP to 2041.

The estimated funding gap of \$133.9 million (or 85%) is based on existing development and the external demand allowance.

Table 9: Summary of Estimated DCP Costs and Levy Collection Data

Facility Type and Code	Total Cost	Time of Provision	Actual Cost Contribution Attributed to New Development	Proportion of Cost Attributed to New Development
Community Facility CIL	\$59,150,000	2026-2041	\$8,698,001	15%
Community Facility DIL	\$11,750,000	2026-2041	\$2,066,552	18%
Path	\$2,020,000	2026-2041	\$416,597	21%
Road	\$83,415,503	2026-2041	\$12,838,081	15%
Drainage	\$2,006,000	2026-2041	\$373,095	19%
Total	\$158,341,503		\$24,392,326	15%

CIL = Community Infrastructure Levy; DIL = Development Infrastructure Levy

Source: HillPDA calculations



6.0 ADMINISTRATIVE MATTERS

6.1 Collecting Agency and Development Agency

Merri-bek City Council is Collecting Agency for this DCP.

Merri-bek City Council is Development Agency for this DCP.

6.2 Liability for Development Contributions

The main land use development types identified in this DCP are Residential, Commercial and Industrial developments. See Appendix B for definitions.

6.3 Payment of Development Contributions

Method of Payment

Payment of development contributions is to be made in cash.

The Collecting Agency may, at its discretion, accept the provision of land, works, services or facilities by the applicant in part or full satisfaction of the amount of levy payable.

Basis for Payment

Each net additional demand unit shall be liable to pay the DCP levy (unless exemptions apply). This includes a new dwelling unit or building or an extension to an existing building.

Payment of the Development Infrastructure Levy

Payment of the Development Infrastructure Levy can be made at subdivision stage, planning permit stage or building permit stage.

- Where the planning permit provides for the subdivision of the land the Development Infrastructure Levy must be paid not more than 21 days prior to the issue of a statement of compliance for the approved subdivision or any stage of that subdivision, or
- Where the planning permit does not provide for the subdivision of the land the Development Infrastructure Levy must be paid not more than 21 days prior to the issue of a building permit under the *Building Act 1993*, or
- Where no planning permit is required, the Development Infrastructure Levy must be paid prior to issue of a building permit under the *Building Act 1993*.

Payment of the Community Infrastructure Levy

Payment of the Community Infrastructure Levy is to be made prior to a building permit being issued under the *Building Act 1993*.



Deferral of Payment

The Collecting Agency may, at its discretion, agree for payment of either levy to be deferred to a later date or milestone, subject to the owner of the land to which the levy relates entering into an agreement under section 173 of the *Planning and Environment Act 1987* to pay the levy at the alternative date or milestone.

6.4 DCP Area and Charge Areas

This DCP applies to all new development within the 12 Charge Areas as shown in Figure 1.

6.5 Exemptions

The following development is exempt from the requirement to pay any development contribution under this DCP:

- Land developed for a non-government school, as defined in Ministerial Direction on the Preparation and Content of Development Contributions Plans dated 11 April 2025.
- Land developed for housing by or for the Department of Health and Human Services, as defined in Ministerial Direction on the Preparation and Content of Development Contributions Plans dated 11 April 2025.
- A small second dwelling, as defined in Ministerial Direction on the Preparation and Content of Development Contributions Plans dated 11 April 2025.
- Alterations and additions to an existing dwelling.
- Outbuildings normal to an existing dwelling and fences.
- Demolition of a dwelling followed by construction of a replacement dwelling on the same land. The exemption applies to the number of dwellings demolished and does not apply to any additional dwelling(s).
- Reinstatement of a dwelling which has been unintentionally damaged or destroyed.
- Buildings and facilities developed by the Merri-bek City Council for Council or community use.
- Servicing infrastructure constructed by a utility authority.
- Transport infrastructure constructed by or on behalf of VicTrack or the Head, Transport for Victoria.
- The construction of a building or carrying out of works or a subdivision that does not generate a net increase in demand units.
- Land which is subject to an agreement under section 173 of the *Planning and Environment Act 1987* that makes provision for the payment of infrastructure contributions either in cash or the provision of works services or facilities and which expressly excludes the levying of any further development contributions under an approved development contributions plan.



6.6 Funds Administration

Funds collected through development contributions will be held in a specific interest-bearing reserve account in accordance with the provisions of the *Local Government Act 2020*. All monies held in this account will be used solely for the provision of infrastructure as itemised in this DCP.

6.7 Funding the Gap

The funds received from DCP contributions will fund part of the cost of delivering infrastructure projects identified in the DCP. Under this DCP, Merri-bek City Council will source funds to cover the balance of the costs required to construct the items of infrastructure through other mechanisms such as Council rates.

6.8 Other Development-Specific Conditions and Contributions

Development proponents may be required to provide other funds or infrastructure contributions in addition to DCP levy payments. This may include conditions to address any other impacts or costs incurred by the community, Council or other infrastructure providers as a result of the specific nature of development. Such conditions will be applied on a case by case basis to specific development projects in addition to relevant DCP levies.

6.9 Annual Reporting

Merri-bek City Council will provide for regular monitoring and reporting of this DCP in accordance with *Ministerial Direction on the Reporting Requirements for Development Contributions Plans of 11 April 2025*. Appendix D of this DCP shows the template reporting tables in relation to the following directions:

- "A report must be prepared each financial year and given to the Minister for Planning within 3 months after the end of the financial year reported on.
- If the collecting agency or development agency is a municipal council, the report must be included in the report of operations contained in the council's annual report prepared under the *Local Government Act*.
- A collecting agency must report on: a) any infrastructure levy paid to it under Part 3B of the Act in a financial year in accordance with Table 1 in the Annexure; b) any land, works, services or facilities accepted by it in a financial year in accordance with Table 2 in the Annexure.
- If a development contributions plan is approved on or after 1 June 2016, a collecting agency must report on the total amount of infrastructure levies paid to it, the total amount of land, works, services or facilities accepted by it, and the total amount of infrastructure levies expended by it under Part 3B of the Act in accordance with Table 3 in the Annexure.



- A development agency must report on: a) its use of any land, works, services or facilities accepted as works-in-kind under section 46P of the Act; and b) the expenditure of any infrastructure levy paid to it under Part 3B of the Act; in accordance with Table 4 in the Annexure.”

6.10 DCP Operating Period

This DCP will operate from date of gazettal to 30 June 2041, unless Merri-bek City Council elects to end the DCP earlier than that date. Infrastructure listed in this DCP will be completed by that date.

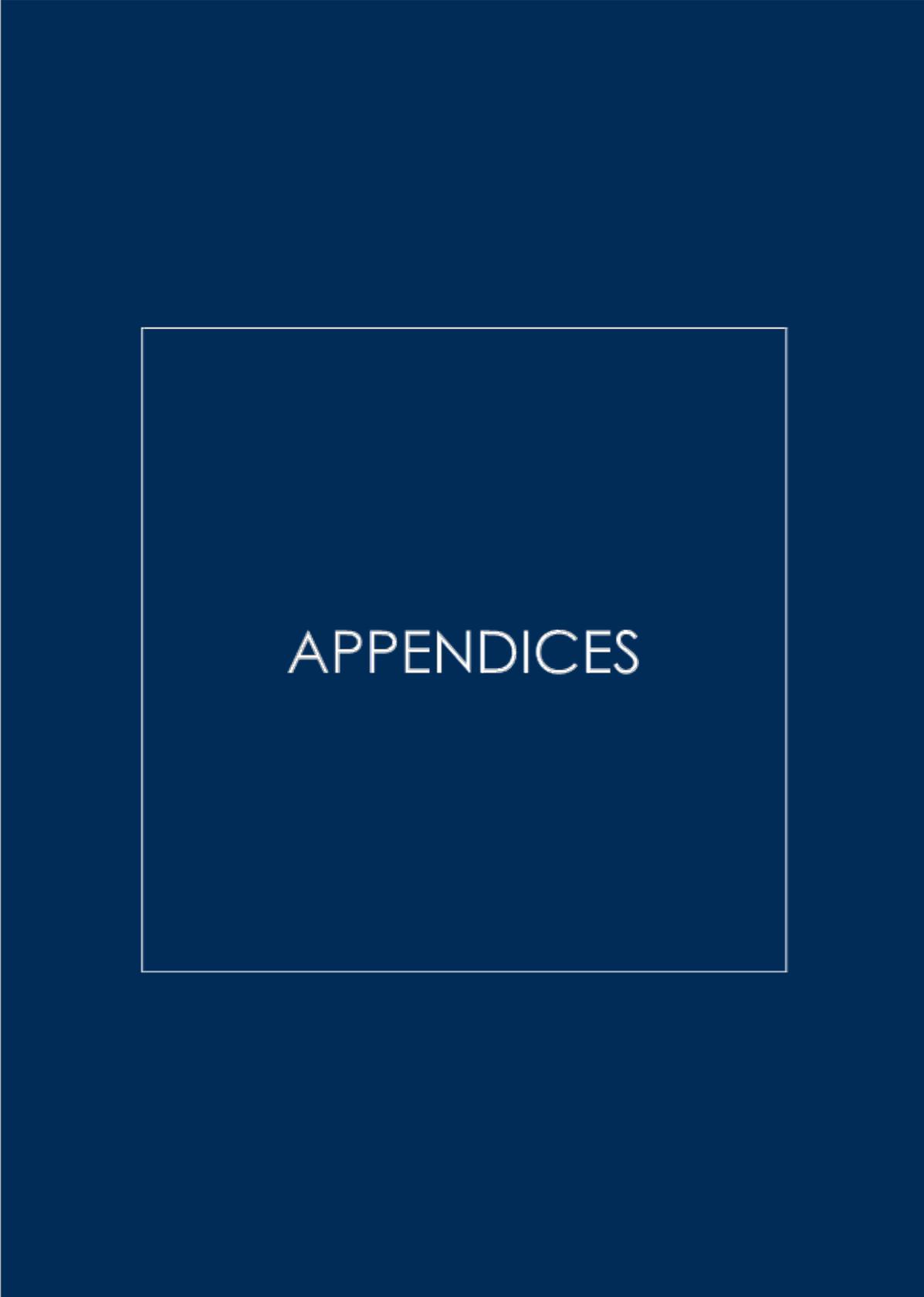
6.11 DCP Review

The DCP will be reviewed approximately every five years to ensure the general nature of the document is reasonably consistent with estimates of future development and infrastructure project needs and costs, but accepting that future conditions will invariably depart from the future estimates generated for the DCP to some extent.

Should the DCP significantly depart from the future estimates shown in this document, as defined by Merri-bek City Council, Council will consider options to revise the DCP in full or part as deemed necessary.

6.12 DCP Projects Deemed Not Required

Should Council resolve not to proceed with any of the infrastructure projects listed in this DCP, the funds collected for these items will be used for the provision of additional works, services and facilities as approved by the Minister responsible for the *Planning and Environment Act 1987*, or will be refunded to owners of land subject to these DCP levies.



APPENDICES



APPENDIX A: POLICY AND STRATEGY

This appendix summarises Merri-bek policy and strategy information. This includes land use and development policies and strategies and infrastructure policy and strategies.

Planning Scheme and Planning Policy Framework

The new Planning Policy Framework (PPF) was introduced into the Victoria Planning Provisions (VPP) and all Victorian planning schemes through the gazettal of amendment VC148 on 31 July 2018. The translation of the Merri-bek Local Planning Policy Framework was approved in 2022.

With respect to development contributions, the Merri-bek Planning Scheme clause 19.03-1S contains the following:

- **Objective**
 - To facilitate the timely provision of planned infrastructure to communities through the preparation and implementation of development contributions plans and infrastructure contributions plans.
- **Strategies**
 - Prepare development contributions plans and infrastructure contributions plans, under the *Planning and Environment Act 1987*, to manage contributions towards infrastructure.
 - Collect development contributions on the basis of approved development and infrastructure contributions plans.
 - Require annual reporting by collecting and development agencies to monitor the collection and expenditure of levies and the delivery of infrastructure."

Plan for Victoria (State Government of Victoria, 2025)

This is a strategic planning document for metropolitan Melbourne, regional cities, towns and rural Victoria.

Plan for Victoria is structured around five policy directions:

- **Housing for all Victorians:** delivering sufficient affordable homes for all Victorians
- **Accessible jobs and services:** making sure you have good access to facilities and good jobs
- **Great places, suburbs and towns:** creating thriving places that are attractive, safe and welcoming for everyone
- **Sustainable environments:** preserving the natural values of Victoria and addressing climate change
- **Self-determination and caring for Country:** underpinning and informing the other pillars."

A focus of Plan for Victoria is housing. The document states that Victoria will need about 2.24 million additional homes over the next 30 years. The plan nominates locations for the homes,



and has a focus on 'activity centres', which are designated areas close to train stations and trams.

Brunswick Station and Coburg Station precincts are nominated as two of 60 activity centres in metropolitan Melbourne.

4-Year Budget 2024/2028

The four year budget outlines Council's operating and capital expenditure for the period 2024/2025 to 2027/2028. The budget includes the capital works program which details the expenditure on individual capital projects in this timeframe.

10-Year Asset Plan 2022-2023 to 2031-2032

The Asset Plan has been prepared to meet the requirements of section 92 of the *Local Government Act 2020*.

The purpose of the Asset Plan is to:

- Show how Council will manage assets to meet the service delivery needs of the community into the future in a cost-effective way.
- Summarise the base and capital expenditure requirements for Council's assets.
- Communicate to the community Council's strategic objectives for its assets.
- Ensure that there is integration between asset management planning outcomes with the Council Plan, 10-Year Financial Plan, 5-Year Capital Works Program and Budget.
- Ensure compliance with legislative obligations.

10-Year Financial Plan 2021/2022 to 2030/2031

The purpose of the 10-Year Financial Plan is to demonstrate the financial stewardship of Council resources to ensure that the Merri-bek community can continue to receive services and maintained facilities and infrastructure into the future.

The development of the 10-Year Financial Plan is informed by the Council Plan and the medium to long-term service strategies adopted by Council. The Plan provides transparency in relation to the financial limits that need to be considered in the development of Council Plan's and the Community Vision, to inform future decisions and to set realistic expectations for community outcomes that can be achieved.

Active Women and Girls in Merri-bek Strategy

This strategy identifies opportunities and recommendations concerning the participation of women and girls in sport, recreation and physical activity in Merri-bek. The strategy identified a number of challenges in the provision of sport, leisure and active recreation for women and girls, including:

- Ensuring the availability of adequate resources and co-ordinating the existing resources to maximise participation



- Continually introducing new opportunities to participate and develop pathways to ensure participants remain
- Creating and delivering on strategies that meet increasing and changing demand for facilities
- Improving the management of knowledge and information relating to sports, leisure and physical activity opportunities within Merri-bek
- Communicating with the community to ensure participants know where to source information, when they need it and that new opportunities are brought to attention in a timely manner
- Facilitating access to recreation facilities of the appropriate quality for women and girls
- Ensuring opportunities are inclusive
- Enhancing provision for cycling and walking
- Defining Council's role in meeting these challenges and establishing performance measurement criteria.

The strategy makes a number of recommendations and contains an implementation plan.

A Job in Merri-bek (2021)

A Job in Merri-bek provides an analysis of jobs and employment floorspace in Merri-bek now and in the future. It identifies how the need for space is changing and examines how Employment Precincts (Activity Centres and Industrial Areas) are adjusting in response to this change. It provides insight into how growth and change can be accommodated in the future.

The report makes a number of recommendations to achieve a diverse, vibrant future economy.

Aquatic and Leisure Strategy 2018-38

The Strategy was developed to ensure that Merri-bek's future provision of aquatic and leisure facilities and the services address current and future unmet aquatic and leisure needs, as well as continuing to meet the demands for recreational and lap swimmers.

This strategy contributes to the outcomes of the Active Merri-bek Framework, which are:

- Ensure Merri-bek residents are more active more often at all stages of life
- Provide a diverse range of recreation opportunities that reflect our diverse community
- Provide supportive environments and facilities which encourage participation
- Develop and maintain partnerships to enhance participation options.

The implementation of the Merri-bek Aquatic and Leisure Strategy requires an investment of approximately \$179M (\$ 2018).



The strategy recognises the social importance that Council, and the community, places on aquatic and leisure services, and reinforces Council's commitment to improving the health and wellbeing of residents by providing infrastructure and services that support good health outcomes.

The Strategy includes a costed investment strategy for six facilities.

Art Acquisition and Collection Development 2018-2023

The policy provides a framework for the acquisition and disposal of artworks that form part of Council's Municipal Art Collection, known as the Merri-bek Art Collection. The objectives of the policy are to:

- Outline and implement the process for acquiring artworks for the Merri-bek Art Collection through purchase, commission, donation or bequest
- Develop key selection criteria for acquiring new artworks for the collection
- Provide guidance with regards to de-accession and disposal of artworks
- Develop and extend a discrete collection of unique artworks by artists residing in Australia.

Asset Management Policy (2019)

The purpose of this policy is to provide a framework for Council to undertake the management of its infrastructure assets appropriate for the needs of current and future generations.

All infrastructure assets owned or controlled by Council are covered by this policy. These include road, transport, drainage, structures and building, parks, open space, fleet, environment and waste, street furniture and signage assets.

CB Smith Reserve - Sport and Education Facility Management Plan 2017

The CB Smith Reserve Sport and Education Facility Management Plan has been prepared in order to ensure that the use, operation and management of the facility are underpinned by a clearly defined management framework.

The application of the Management Plan is intended to provide a cost effective and efficient framework for the management, usage and maintenance of the facilities for the community into the future.

Charles Mutton Precinct Plan (2018)

The Plan is intended to:

- Determine the future functions of the reserve
- Assess future opportunities for the reserve, and its facilities from a community, landscape, functional, access, structural, environmental and safety perspective



- Investigate opportunities to build social cohesion through design, integration and site redevelopment
- Identify the needs of the general Fawkner community, as well as existing and potential users groups, and identify opportunities as to how these needs could be addressed
- Investigate opportunities to enhance the passive spaces at the reserve
- Develop a prioritised list of infrastructure works and estimate the costs of these works.

The Plan includes detailed options and recommendations for the future development of the precinct.

Climate Risk Strategy (2022)

The strategy details objectives based around the following themes:

- Managing climate risk
- Built and natural environments
- Community services
- Community and business
- Partnership approaches.

The Strategy also includes an action plan as well as a monitoring and review program.

Community Infrastructure Plan 2022-2032

The Merri-bek Community Infrastructure Plan is intended to guide Council's planning and delivery of community infrastructure.

The Plan responds to increasing demand for community infrastructure in Merri-bek because of the growing and changing population. It focuses on improving the performance of existing assets and directing new investment to where the community benefits most.

The Community Infrastructure Plan considers Council-owned community infrastructure and has four objectives:

- To address demand for community infrastructure fairly and equitably over the short and long term
- To optimise the performance of community infrastructure and its ability to deliver quality services and user experiences
- To inform responsible investment in community infrastructure through Council's planning and budgets
- To help secure external funding and delivery partners.

The Plan identifies community infrastructure projects on a suburb basis with time frames and high level cost estimates.



Community Vision (2031)

The Merri-bek community vision statement is:

“Merri-bek is our home.

We respect and look after our land, air, waterways and animals.

We care for our people and celebrate our diverse stories, cultures, and identities.

Merri-bek is enhanced by all of us supporting our local businesses, arts communities and social organisations.

We work together proactively and transparently to continue to create a vibrant, safe, healthy, resilient, innovative, and regenerative community.

Many faces, one Merri-bek.”

The Community Vision is based around the following five themes:

- An environmentally proactive Merri-bek
- Moving and living safely in Merri-bek
- A healthy and caring Merri-bek
- Spaces and places in Merri-bek
- An empowered and collaborative Merri-bek

Development Contributions Plan Administration Policy (2021)

The Development Contributions Plan Administration Policy sets out Council’s interpretation of the Merri-bek DCP. It details Council policy regarding ongoing administration and sets out the roles and responsibility of various stakeholders. The Policy brings together information from various sources and provides a list of reference documents which should be read in conjunction with the Merri-bek DCP.

This Policy sets out the administrative processes which should be followed, and matters considered in implementing the Merri-bek Development Contributions Plan (January 2015 Merri-bek DCP).

Disability Access and Inclusion Plan 2022-2026

The document sets out a 4-year plan intended to improve the lives of people with disability, their families and carers to ensure equal access and opportunity to participate in all aspects of life in Merri-bek.

The Plan was developed mainly in consultation with people with disability, and their families and carers and has the following five objectives:

- Equal access to all areas of community life
- Improve employment, education and economic security for people with disability
- Promote inclusion and participation in the community of people with disability



- Change the attitudes and practises that lead to discrimination of people with disability
- Support the health, wellbeing and safety of people with disability in all settings and contexts.

The Plan is supported by a separate implementation plan.

Drainage Improvement Plan (2020)

The projected increase in the Merri-bek population will result in an increase in imperviousness of the catchment resulting in an increase in stormwater runoff. Council engaged Engeny Water Management (Engeny) to undertake flood modelling in 2017/18 of the Merri-bek municipality to help guide Council in the assessment of future developments and ensure the existing flooding 'hot spots' are not adversely impacted by future development.

The Plan identifies 42 mitigation sites and recommends costed works for each site.

Full Frontal - A Strategy for Merri-bek's Young People (2019)

This Strategy identifies Council's role in creating create the positive social and collective impacts:

- As coordinator
- Partner
- Provider
- Through direct engagement with young people.

The Strategy focuses on the following actions:

- Improving the service system
- Enhancing youth voice and participation
- Increasing skills and job opportunities
- Supporting health and resilience
- Providing youth friendly spaces and places.

Housing Capacity Study (2022)

The objective of the Housing Capacity Study is to understand how many additional dwellings can be built in Merri-bek. By knowing Merri-bek's residential development capacity, it enables Council to:

- Understand the capacity impacts of projected growth over the next 15 years
- Plan for urban and population growth in the context of any identified capacity constraints.

This report provides a number of conclusions and recommendations.



Integrated Water Management Strategy 2040

The aim of the Strategy is to guide the transition for Merri-bek to become a water sensitive city.

A water sensitive city is a city in which water cycle management is integrated into all aspects of the city. It is a city that is healthy, green, productive and resilient to climate change impacts by:

- Providing water security for economic prosperity through efficient use of diverse water resources available
- Enhancing and protects the health of watercourses, wetlands and aquatic environments
- Mitigating flood risk and damage
- Creating high quality, healthy, cool and connected public spaces and landscapes that harvest, clean and recycle water.

The Strategy identifies a number of outcomes to be achieved and includes a separate Action Plan which identifies a number of actions and a recommended funding allocation.

Library Services Strategy (2019)

The Library Strategy 2019 determines the priorities for Merri-bek's library service to 2024. The strategy identifies and addresses five priority areas: Connect, Curate, Discover, Learn and Place.

The Strategy identifies a number of priorities under these headings

Merri-bek Children, Young People and Families Plan 2021-2025

This Plan aims to improve health, wellbeing and educational outcomes by ensuring that young people and families live in a community where they are healthy, resilient, empowered, safe and belong.

This vision sets an ambitious goal to improve outcomes across a range of areas to ensure children and young people have the best start in life, engage in educational opportunities, actively contribute to their community and transition into further training and employment. The Plan is focused on children and young people from birth to adulthood (0-24 years) and their families.

The Plan details three outcome areas:

- Outcome 1: Inclusive City and Community
- Outcome 2: Improved Health and Wellbeing
- Outcome 3: Lifelong Learning and Participation.

In each outcome area, there are a series of objectives which provides details of the key focus of work that will be undertaken. The Plan brings together a range of different areas that



impact children and young people's outcomes from early childhood, supporting parents, engagement in education and community to employment pathways.

The Plan includes a separate implementation plan which details the actions that will be undertaken to achieve the vision

Merri-bek Council Plan 2021-2025

The Council plan is a key strategic document, which sets out Council's and community's vision for the future.

The Plan identifies strategic objectives to make progress towards achieving the Community Vision and sets out ways to achieve objectives through delivery of major initiatives and priorities.

The Plan also includes indicators for measuring progress over the next 4 years. It outlines how Council will protect, improve and promote public health and wellbeing within the municipality.

Merri-bek Industrial Land Use Strategy 2015-2030

The Strategy is intended to guide planning decisions about the future of Merri-bek's industrial land. It also informs Council's Merri-bek Economic Development Strategy 2016-2021.

The 15-year strategic timeframe of the Strategy provides long-term investment certainty for the business community and to reduce speculation on industrial land in the context of significant development pressure in some parts of Merri-bek for residential uses.

The Strategy is underpinned by Council's broad commitment to a strong and prosperous economy and to creating sustainable neighbourhoods where residents can access services and businesses locally and have the opportunity to find jobs locally.

Maintaining an appropriate supply of industrial and other commercial zoned land, suited to employment sectors that have positive long term growth outlooks in Merri-bek is critical to Merri-bek's sustainability objectives.

Moving Around Merri-bek (2024)

Merri-bek City Council is in the process of writing a new transport strategy. The strategy will guide future transport investments and actions with a view to create a more sustainable and accessible way for the community to move around Merri-bek.

Moving Around Merri-bek is a long-term strategic document that outlines Council's transport projects and objectives, and advocacy priorities to the State and Commonwealth Governments.

A Draft Transport Strategy has been prepared using the results of community consultation in August and September 2023. The draft strategy takes a holistic approach to transport planning with a focus on all movement layers that make up the transport system, including the pedestrian, cycling, public transport and driving networks. Compared to strategies of the past,



this strategy places a greater emphasis on non-car modes of travel whilst retaining directions for safe and efficient car movements and parking management.

Merri-bek Nature Plan (2020)

The Nature Plan provides a history of Merri-bek's landscape, how it has transformed over time and a summary of the natural environment today. It recognises the importance of nature in the City which provides a range of ecosystem services having significant environmental, social, ecological and economic benefits.

The report outlines Council's current approaches to natural resource management and discusses the challenges and opportunities for future management.

The Plan details a 4-year implementation plan and ongoing actions which are considered to be part of Council's core service in open space and natural resource management, with expectations to be delivered for the next 10 years and beyond.

Merri-bek Neighbourhood Centres Strategy (2017)

The Strategy sets planning directions for land use and built form to ensure new development in Neighbourhood Centres contributes to the desired mix of land uses and scale and quality of built form encouraged, commensurate with the level of change and improved amenity expected.

The Strategy includes recommendations for Council to consider alignment of relevant programs and investment to ensure the increase in development density and population growth expected in Neighbourhood Centres is matched by adequate planning and provision of infrastructure and improved public realm amenity. This includes Council's investment in capital works, local business development, community infrastructure planning and transport planning.

Merri-bek Open Space Strategy (2024)

The Strategy addresses and analyses the key influences, challenges and emerging trends impacting Merri-bek's open space network and our vision. It aims to address these and achieve the vision by enacting the five key Strategy directions:

- Providing parks close to home
- Having a mix of open spaces and open space experiences
- Ensuring our open space network is adaptive, biodiverse, cooling, healthy and resilient
- Open space for everyone
- Improving access to our open space network through better links, corridors and collaborations.



The Strategy and the accompanying Open Space Background Technical Report has analysed Merri-bek's existing open space network, including different types of open spaces and their locations.

Alongside forecasting of Merri-bek's residential and worker population growth and key densification areas, key recommendations for open space projects to address growing open space needs are made, such as land acquisition to create new open spaces.

This is brought together in a long-term projects list which can be read on conjunction with the Strategy.

Merri-bek Urban Heat Island Effect Action Plan 2016/17-2025-26

Detailed analysis of Merri-bek's urban heat island effect vulnerability has found that there is an overall high urban heat island effect across the municipality and a high number of extremely hot places, with very few cool places.

The analysis highlighted that Merri-bek has a community that is vulnerable to this heat. During long periods of hot weather the urban heat island effect increases heat stress in the community. Most affected are the elderly, the very young and those with pre-existing medical conditions.

A review of existing projects and upcoming capital works have identified opportunities to adjust the way to integrate a best practice approach. This approach will allow Council to implement many actions without the requirement for additional funding. Some actions identified are unfunded but funding and partnerships will be sought when opportunities arise.

Transforming Merri-bek into a green, cool, more livable city will require investment and commitment from residents, businesses, community groups and many others across the community. It will also require supportive State and Commonwealth policies and programs as well as partnerships with leaders at research institutions and in business.

The Strategy includes an implementation plan with key actions as well as recommended funding for some actions.

Public Health and Wellbeing Act Management Policy (2023)

The purpose of this *Public Health and Wellbeing Act Management Policy* is to protect the health and wellbeing of the community by minimising adverse health outcomes associated with prescribed public health businesses within Merri-bek City Council. The policy outlines the management system that will be implemented to achieve the goals of this policy.

This policy provides a framework to guide the development of processes, procedures, resources, and enforcement guidelines that will ensure that public health businesses in Merri-bek City Council operate in a manner that is safe.

**Public Lighting Policy (2018)**

This Policy provides a consistent and flexible approach to design, installation, and management of public lighting throughout the municipality. It supports Council's commitment towards improving safety and the perception of safety in the community.

With the 2016/2017 bulk changeover of over 9000 mercury vapour (MV) lamps to light emitting diodes (LED), this project greatly increased safety, making public spaces more attractive for people to spend time in and supporting passive surveillance.

The Policy details standards to be achieved in a variety of streets and open spaces.

Road Management Plan (2021)

The Plan identifies responsibilities, maintenance standards and inspection regimes required to manage civil liability and must demonstrate that Council, as a road authority, is responsively managing all the road assets under its control.

The legislation requires that Council keep a Register of Public Roads showing the roads reasonably required for general public use for which it is the coordinating road authority.

Council is generally responsible for the overall management and development of the Council's local road network, which make up around 92% of the roads in the municipality.

VicRoads has declared those roads in the municipality that it requires as part of its principal routes for the movement of people and goods across the metropolitan area, to be Arterial Roads.

The Register of Public Roads establishes Council's road and footpath hierarchy. The road classifications or hierarchy is based on the road abutting land users, 'Public Transport' and 'Trip Generators'.

The footpath hierarchy is based on the Principal Pedestrian Network (PPN). PPN ensures a higher level of pedestrian amenity and service along routes with higher levels of pedestrian activity, which links key trip generators across the municipality.

Shopping Strip Renewal Policy (2015)

The policy implements a program that promotes the economic growth and development of the centres of highest need in the community. To achieve this robust assessment criteria have been developed on which to prioritise a list of Council's nominated 'neighbourhood shopping (activity) centres'.

The purpose of this policy is to outline how Council will deliver local economic development and urban design improvements for the renewal of neighbourhood shopping strips across the City. The policy is intended to guide Council's efforts to bring about physical enhancements and improved business performance and to activate the public spaces within its nominated neighbourhood shopping strips in a manner which is equitable and sustainable over the long term.



Sport and Active Recreation Strategy (2020)

The Strategy provides an evidence-based framework to inform Council decision making, guide partnerships and prioritise the allocation of Council resources for the greatest community benefit.

The Strategy provides a roadmap for further development and investment in sport and recreation to enable more people to be more active more often.

The Strategy is closely aligned to the Merri-bek Public Health and Wellbeing Plan and the Merri-bek Open Space Strategy. Together these Strategies combined are intended to deliver positive impacts for the overall health and wellbeing of the Merri-bek community.

In addition, the Strategy implements Councils commitment in the 2017 to 2021 Council Plan to:

- Set a clear vision and strategy for aquatics, leisure and sporting facilities to meet ongoing community needs; and
- Maintain and match infrastructure to community needs and population growth.

Urban Forest Strategy 2017-2027

The Strategy has been developed to deliver practical measures that guide the sustainable planning, planting, management, resourcing and protection of vegetation across Merri-bek. This includes, for example, street and park trees, front and backyard vegetation, grasslands, shrubs, wetlands, nature strips, balcony plants, and green roofs and walls.

Background work undertaken in preparation of this Strategy has improved Council's understanding of the current urban forest, its challenges and identified opportunities for greening across the municipality.

The Strategy includes an implementation plan as well as recommended funding for some actions.



APPENDIX B: DEFINITIONS

Dwelling

A dwelling in this DCP has the same meaning as in Section 46H of the *Planning and Environment Act, 1987*:

"dwelling" means a building that is used, or is intended, adapted or designed for use, as a separate residence, (including kitchen, bathroom and sanitary facilities) for an occupier who has a right to the exclusive use of it but does not include—

(a) a building that is attached to a shop, office, warehouse or factory and is used, or is intended, adapted or designed for use, as a residence for an occupier or caretaker of the shop, office, warehouse or factory; or

(b) any part of a motel, residential club or residential hotel or residential part of licensed premises under the Liquor Control Reform Act 1998"

A dwelling unit in this DCP also means a separate unit with bedroom(s) within a residential building that may have shared facilities like kitchen and/or bathroom and/or laundry facilities. This includes a unit within a group accommodation building or rooming house building or similar residential building.

Small Second Dwelling

A building with a gross floor area of 60 square metres or less, on the same lot as an existing dwelling and used as a self-contained residence, which must include: a) a kitchen sink; b) food preparation facilities; c) a bath or shower; and d) a toilet and wash basin.

Gross Floor Area (Floorspace)

Gross floorspace has the same meaning as Gross Floor Area as stated in the Merri-bek Planning Scheme:

"Gross Floor Area

The total floor area of a building, measured from the outside of external walls or the centre of party walls, and includes all roofed areas."

Residential Development

Residential or Residential Development means the development of land for one or more dwelling units and includes development of land for a use within the following land use terms as defined within Clause 73.04 of the Merri-bek Planning Scheme:

- Dwelling (within Accommodation Group)
- Residential aged care facility (within Accommodation Group)
- Group accommodation (within Accommodation Group)



- Rooming house within Accommodation Group)
- Community care accommodation (within Accommodation Group)
- Residential village (within Accommodation Group)
- Retirement village (within Accommodation Group).

Commercial Development

Commercial or Commercial Development means the development of Gross Floorspace for retail, commercial, entertainment, education, health, community or similar purposes.

Commercial Development means the development of land for a use within the following land use terms as defined within Clause 73.04 of the Merri-bek Planning Scheme:

- Land uses within the Accommodation group not listed in the category of Residential Development above
- Education centre group
- Leisure and recreation group
- Office group
- Place of assembly group
- Retail premises group
- Land use terms that are not nested.

Industrial Development

Industry or Industrial Development means the development of Gross Floorspace for factory, warehouse, depot or similar purposes.

Industrial Development means the development of land for a use within the following land use terms as defined within Clause 73.04 of the Merri-bek Planning Scheme:

- Industry group
- Utility installation group.



APPENDIX C: LEVY CALCULATIONS

The table overleaf shows the list of projects and DCP levy calculations. The data shown is:

- Project Name
- Delivery Horizon
- Estimated Cost
- Project Type
- Main Catchment Area (MCA)
- Demand Units
- External Demand or Use Allowance
- Share of Use to MCA
- Cost Apportioned to MCA
- Cost Per Demand Unit
- New Demand Units
- Income Estimate \$
- Income Estimate %.



Table 10: DCP Project Calculations

Project Number	Project Name	Delivery Horizon	Estimated Cost	Project Type	Main Catchment Area (MCA)	Demand Units	External Demand or Use Allowance	Share of Use to MCA	Cost Apportioned to MCA	Cost Per Demand Unit	New Demand Units	Income Estimate \$	Income Estimate %
1	Post Office Place streetscape upgrade	2026-2041	\$2,020,000	PADI	Area 11	16,576	5.0%	96.0%	\$1,919,000	\$115.77	3,598	\$416,597	20.6%
2	Dawson Street Child Care Co-op	2026-2041	\$3,100,000	CFDI	Area 01 Area 02 Area 03	38,034	5.0%	96.0%	\$2,945,000	\$77.43	6,075	\$470,392	15.2%
3	Hadfield Early Years Centre	2026-2041	\$8,650,000	CFDI	Area 07 Area 10 Area 11	26,524	5.0%	95%	\$8,217,500	\$309.81	5,152	\$1,596,160	18.5%
4	Brunswick Library Refresh	2026-2041	\$1,750,000	CFCI	Area 01 Area 02 Area 03 Area 04 Area 05	58,325	5.0%	96.0%	\$1,662,500	\$28.50	9,497	\$270,703	15.5%
5	Coburg Library Redevelopment	2026-2041	\$52,000,000	CFCI	Area 04 Area 05 Area 06 Area 07	33,865	5.0%	96.0%	\$49,400,000	\$1,458.73	5,384	\$7,853,820	15.1%
6	Coburg Townhall Upgrade	2026-2041	\$2,400,000	CFCI	Area 01 Area 02 Area 03 Area 04 Area 05 Area 06 Area 07 Area 08 Area 09 Area 10 Area 11 Area 12	100,912	5.0%	96.0%	\$2,280,000	\$22.59	16,658	\$376,370	15.7%
7	Brunswick Baths Plant Rehabilitation - Mechanics and BMS	2026-2041	\$500,000	CFCI	Area 01 Area 02 Area 03 Area 04 Area 05	58,325	5.0%	95%	\$475,000	\$8.14	9,497	\$77,344	15.5%
8	Brunswick Baths Outdoor Pool Re-Tiling	2026-2041	\$300,000	CFCI	Area 01 Area 02 Area 03 Area 04 Area 05	58,325	5.0%	96.0%	\$285,000	\$4.89	9,497	\$46,406	15.5%
9	Pascoe Vale Outdoor Pool - Painting and Tile Repairs of 3 pools	2026-2041	\$200,000	CFCI	Area 01 Area 02 Area 03 Area 04 Area 05 Area 06 Area 07 Area 08 Area 09 Area 10 Area 11 Area 12	100,912	5.0%	96.0%	\$190,000	\$1.88	16,658	\$31,384	15.7%
10	Fawkner Library Upgrade Works	2026-2041	\$2,000,000	CFCI	Area 09 Area 10 Area 11	23,349	5.0%	96.0%	\$1,900,000	\$81.37	4,460	\$362,928	18.1%
11	Programmed Roads Reconstruction and Drainage Upgrades, Brunswick	2026-2041	\$5,384,435	RDDI	Area 02	31,806	5.0%	95%	\$5,115,213	\$160.82	5,486	\$882,325	16.4%
12	Programmed Roads Reconstruction and Drainage Upgrades, Brunswick East	2026-2041	\$5,684,085	RDDI	Area 01	12,771	5.0%	96.0%	\$5,399,881	\$422.84	1,897	\$717,618	12.6%
13	Programmed Roads Reconstruction and Drainage Upgrades, Brunswick West	2026-2041	\$2,283,765	RDDI	Area 03	9,665	5.0%	96.0%	\$2,169,577	\$224.48	779	\$174,820	7.7%
14	Programmed Roads Reconstruction and Drainage Upgrades, Coburg	2026-2041	\$25,646,275	RDDI	Area 04	20,851	5.0%	96.0%	\$24,363,961	\$1,168.48	3,653	\$4,268,290	16.6%
15	Programmed Roads Reconstruction and	2026-2041	\$6,670,378	RDDI	Area 06	16,333	5.0%	95%	\$6,336,859	\$387.98	1,603	\$621,758	9.3%



Project Number	Project Name	Delivery Horizon	Estimated Cost	Project Type	Main Catchment Area (MCA)	Demand Units	External Demand or Use Allowance	Share of Use to MCA	Cost Apportioned to MCA	Cost Per Demand Unit	New Demand Units	Income Estimate \$	Income Estimate %
	Drainage Upgrades, Coburg North												
16	Programmed Roads Reconstruction and Drainage Upgrades, Fawkner	2026-2041	\$2,904,440	RDDI	Area 09	9,294	5.0%	96.0%	\$2,759,218	\$296.87	1,040	\$308,857	10.6%
17	Programmed Roads Reconstruction and Drainage Upgrades, Glenroy	2026-2041	\$12,111,806	RDDI	Area 11	16,856	5.0%	96.0%	\$11,506,291	\$682.63	3,539	\$2,415,913	19.9%
18	Programmed Roads Reconstruction and Drainage Upgrades, Gowanbrae	2026-2041	\$990,000	RDDI	Area 12	1,346	5.0%	96.0%	\$940,500	\$698.96	85	\$9,581	6.0%
19	Programmed Roads Reconstruction and Drainage Upgrades, Hadfield	2026-2041	\$8,507,476	RDDI	Area 10	4,147	5.0%	96%	\$8,062,102	\$1,948.83	745	\$1,451,739	17.1%
20	Programmed Roads Reconstruction and Drainage Upgrades, Oak Park	2026-2041	\$4,247,320	RDDI	Area 08	4,733	5.0%	96.0%	\$4,034,954	\$852.43	827	\$705,022	16.6%
21	Programmed Roads Reconstruction and Drainage Upgrades, Pascoe Vale	2026-2041	\$6,008,965	RDDI	Area 07	12,039	5.0%	96.0%	\$5,705,516	\$474.15	1,918	\$909,461	15.1%
22	Programmed Roads Reconstruction and Drainage Upgrades, Pascoe Vale South	2026-2041	\$2,976,479	RDDI	Area 05	5,510	5.0%	96.0%	\$2,827,655	\$513.14	629	\$322,695	10.8%
23	Drainage, Clovelly Avenue	2026-2041	\$206,000	DRDI	Area 11	15,572	5.0%	95%	\$195,700	\$12.57	3,328	\$41,818	20.3%
24	Drainage, Sheffield Street to Chambers St to Harding St - Engery Hot Spot No. 18	2026-2041	\$980,000	DRDI	Area 04	19,049	5.0%	96.0%	\$931,000	\$48.80	3,460	\$169,100	17.3%
25	Drainage, West Street (Everard Street to Hilton Street) Engery Hot Spot No. 41	2026-2041	\$820,000	DRDI	Area 10 Area 11	19,456	5.0%	96.0%	\$779,000	\$40.04	4,050	\$162,170	19.8%

Source: HillPDA calculation



APPENDIX D: REPORTING REQUIREMENTS

Ministerial Reporting Requirements as at 11 April 2025 are shown below.

Figure 3: Format of DCP Reporting Tables

Annexure								
MINISTERIAL REPORTING REQUIREMENTS								
Table 1 – Total DCP levies received in [Insert Financial Year]								
DCP name and year approved	Levies received in [Insert Year] financial year (\$)							
<hr/>								
<hr/>								
Total								
<hr/>								
Table 2 – DCP land, works, services or facilities accepted as works-in-kind in [Insert Financial Year]								
DCP name and year approved	Project ID	Project description	Item purpose	Project value (\$)				
<hr/>								
<hr/>								
Total								
<hr/>								
Table 3 – Total DCP contributions received and expended to date (for DCPs approved after 1 June 2016)								
DCP name and year approved	Total levies received (\$)	Total levies expended (\$)	Total works-in-kind accepted (\$)	Total DCP contributions received (levies and works-in-kind) (\$)				
<hr/>								
<hr/>								
Total								
<hr/>								
Table 4 – Land, works, services or facilities delivered in [Insert Financial Year] from DCP levies collected								
Project description	Project ID	DCP name and year approved	DCP fund expended (\$)	Works-in-kind accepted (\$)	Council's contribution (\$)	Other contributions (\$)	Total project expenditure (\$)	Percentage of item delivered
<hr/>								
<hr/>								
Total								
<hr/>								

Source: Ministerial Direction on the Preparation and Content of Development Contributions Plans dated 11 April 2025



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MERRI-BEK PLANNING SCHEME

~f-120~
Proposed
C-mbrak

SCHEDULE 2 TO THE DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as **DCPO2**.

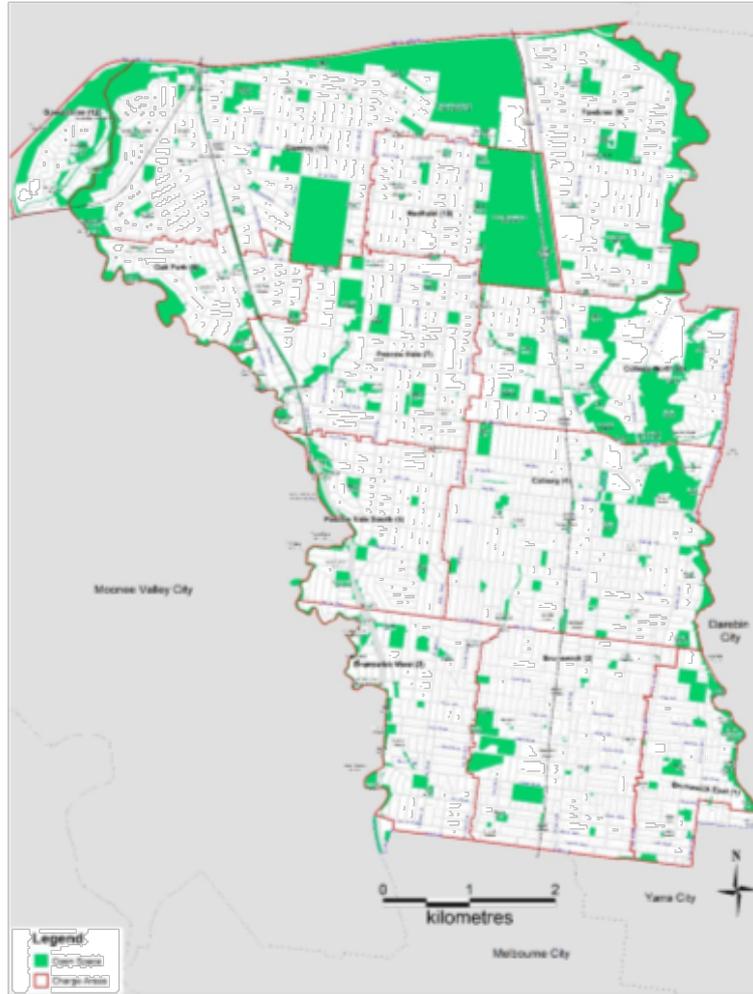
MERRI-BEK DEVELOPMENT CONTRIBUTIONS PLAN 2 APRIL 2025

1.0

Area covered by this development contributions plan

~f-120~
Proposed
C-mbrak

The *Merri-bek Development Contributions Plan 2* (HillPDA, April 2025) applies to all new development within the 12 Charge Areas as shown on the map below.



MERRI-BEK PLANNING SCHEME

2.0

—(—)22—
Proposed
C—mbek

Summary of costs

Facility Type and Code	Total Cost	Time of Provision	Actual Cost Contribution Attributed to New Development	Proportion of Cost Attributed to New Development
Community Facility CIL	\$58,358,000	2026-2041	\$8,698,001	15%
Community Facility DIL	\$11,750,000	2026-2041	\$2,066,552	18%
Path	\$2,020,000	2026-2041	\$416,997	21%
Road	\$63,413,593	2026-2041	\$12,838,081	15%
Drainage	\$2,056,000	2026-2041	\$373,095	19%
Total	\$158,341,593		\$24,892,326	15%

CIL – Community Infrastructure Levy; DIL – Development Infrastructure Levy

Notes:

The tables above and below set out a summary of the costs and levies prescribed in the *Merri-bek Development Contributions Plan 2* (HillPDA, April 2025). Refer to the Incorporated Document for full details.

Merri-bek City Council is Collecting Agency and Development Agency for the *Merri-bek Development Contributions Plan 2* (HillPDA, April 2025)

The *Merri-bek Development Contributions Plan 2* (HillPDA, April 2025) will end on 30 June 2041, unless Merri-bek City Council elects to end the DCP earlier than that date.

3.0

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Summary of contributions

AREA		LEVIES PAYABLE BY RESIDENTIAL DEVELOPMENT		
Charge Area Number and Name		Development Infrastructure	Community Infrastructure	All Infrastructure
		Per Dwelling	Per Dwelling	Per Dwelling
Area 01	Brunswick East/North Fitzroy	\$500	\$66	\$566
Area 02	Brunswick	\$238	\$66	\$304
Area 03	Brunswick West	\$302	\$66	\$368
Area 04	Coburg	\$1,217	\$1,450	\$2,667
Area 05	Pascoe Vale South	\$513	\$1,450	\$1,963
Area 06	Coburg North	\$388	\$1,450	\$1,838
Area 07	Pascoe Vale	\$784	\$1,450	\$2,234
Area 08	Oak Park	\$652	\$24	\$677
Area 09	Fawkner	\$297	\$106	\$403
Area 10	Hadfield	\$2,299	\$106	\$2,405
Area 11	Glenside	\$1,161	\$106	\$1,267
Area 12	Gowanbrae/Tullamarine	\$699	\$24	\$723

MERRI-BEK PLANNING SCHEME

AREA	Charge Area Number and Name	LEVIES PAYABLE BY NON-RESIDENTIAL DEVELOPMENT	
		Commercial Per Square Metre (SQM) of Floorspace	Industrial Per Square Metre (SQM) of Floorspace
Area 01	Brunswick East/North Fitzroy	\$6.04	\$6.31
Area 02	Brunswick	\$2.90	\$2.40
Area 03	Brunswick West	\$3.21	\$3.95
Area 04	Coburg	\$17.18	\$17.68
Area 05	Pascoe Vale South	\$7.33	\$7.66
Area 06	Coburg North	\$5.54	\$5.79
Area 07	Pascoe Vale	\$6.77	\$7.06
Area 08	Oak Park	\$12.18	\$12.72
Area 09	Fawkner	\$4.24	\$4.43
Area 10	Hadfield	\$28.24	\$29.29
Area 11	Glenroy	\$12.13	\$10.68
Area 12	Gowanbrae/Tullamarine	\$9.99	\$10.43

Notes:

The main development types identified in the *Merri-bek Development Contributions Plan 2* (HillPDA, April 2025) are Residential, Commercial and Industrial. Commercial refers to retail, office or other commercial uses. For development that does not fall within one of the three development types, the development contribution that applies to Commercial development will apply in default unless the Collecting Agency agrees in writing to a different development type.

Square metres of floorspace (SQM) refers to gross floor area.

The levies are current as at 1 July 2024.

Where the *Merri-bek Development Contributions Plan 2* (HillPDA April 2025) provides for a Community Infrastructure Levy at the Maximum Dwelling Amount as determined in accordance with section 46L(3) of the *Planning and Environment Act 1987*, it will be adjusted to the Maximum Dwelling Amount each year.

Where the *Merri-bek Development Contributions Plan 2* (HillPDA, April 2025) provides for a Community Infrastructure Levy of less than the Maximum Dwelling Amount, that levy will be adjusted annually on the 1st of July each year (or first practical date thereafter) in accordance with the Building Price Index for Melbourne shown in the Rawlinsons Australian Construction Handbook.

Where the *Merri-bek Development Contributions Plan 2* (HillPDA, April 2025) provides for a Development Infrastructure Levy, that levy will be adjusted annually on the 1st of July each year (or first practical date thereafter) in accordance with the Building Price Index for Melbourne shown in the Rawlinsons Australian Construction Handbook.

All adjustments will occur and take effect from 1 July in the financial year in which the adjustment is made.

A list showing the current contribution amounts may be viewed at Merri-bek City Council's website or by contacting the planning department.

Payment of development contributions are to be made in cash except as otherwise provided for in the *Merri-bek Development Contributions Plan 2* (HillPDA, April 2025).

The Collecting Agency may accept, at its discretion, the provision of land, works, services or facilities as set out in the *Merri-bek Development Contributions Plan 2* (HillPDA, April 2025) in part or full satisfaction of the amount of levy payable.

Each net additional demand unit must pay the levy (unless an exemption applies).

Payment of the Development Infrastructure Levy must be made as follows:

- Where the planning permit provides for the subdivision of the land the Development Infrastructure Levy must be paid not more than 21 days prior to the issue of a

MERRI-BEK PLANNING SCHEME

statement of compliance for the approved subdivision or any stage of that subdivision, or

- Where the planning permit does not provide for the subdivision of the land the Development Infrastructure Levy must be paid not more than 21 days prior to the issue of a building permit under the *Building Act 1993*, or
- Where no planning permit is required, the Development Infrastructure Levy must be paid prior to issue of a building permit under the *Building Act 1993*.

Payment of the Community Infrastructure Levy is to be made prior to a building permit being issued under the *Building Act 1993*.

The Collecting Agency may, at its discretion, agree for payment of either levy to be deferred to a later date or milestone, subject to the owner of the land to which the levy relates entering into an agreement under section 173 of the *Planning and Environment Act 1987* to pay the levy at the alternative date or milestone.

4.0 Land or development exempted from development contributions plan

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The following development is exempt from the requirement to pay any development contribution under the *Merri-bek Development Contributions Plan 2* (HillPDA, April 2025):

- Land developed for a non-government school, as defined in *Ministerial Direction on the Preparation and Content of Development Contributions Plans dated 11 April 2025*.
- Land developed for housing by or for the Department of Health and Human Services, as defined in *Ministerial Direction on the Preparation and Content of Development Contributions Plans dated 11 April 2025*.
- A small second dwelling, as defined in *Ministerial Direction on the Preparation and Content of Development Contributions Plans dated 11 April 2025*.
- Alterations and additions to an existing dwelling.
- Outbuildings normal to an existing dwelling and fences.
- Demolition of a dwelling followed by construction of a replacement dwelling on the same land. The exemption applies to the number of dwellings demolished and does not apply to any additional dwelling(s).
- Reinstatement of a dwelling which has been unintentionally damaged or destroyed.
- Buildings and facilities developed by or on behalf of Merri-bek City Council for Council or community use.
- Servicing infrastructure constructed by a utility authority.
- Transport infrastructure constructed by or on behalf of VicTrack or the Head, Transport for Victoria.
- The construction of a building or carrying out of works or a subdivision, that does not generate a net increase in demand units.
- Land which is subject to an agreement under section 173 of the *Planning and Environment Act 1987* that makes provision for the payment of infrastructure contributions either in cash or the provision of works services or facilities and which expressly excludes the levying of any further development contributions under an approved development contributions plan.

MERRI-BEK PLANNING SCHEME

15/01/2024
VC248

SCHEDULE TO CLAUSE 72.04 INCORPORATED DOCUMENTS

1.0 Incorporated documents

4599/2024
VC248 Proposed Cambial

Name of document	Introduced by:
13-17 Duggan Street, Brunswick West Incorporated Plan – June 2003	C25
21-35 Hope Street, Brunswick Incorporated Plan – September 2003	C36
Australian Standard AS 2021-2015, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction, issued by Standards Australia International Ltd	VC173
Bell and Moreland Level Crossing Removal Project Incorporated Document, October 2019	C178more
Brunswick Terminal Station Incorporated Document, 2012	C140
Camp Road, Campbellfield Level Crossing Removal Project Incorporated Document, April 2017	GC63
Geotechnical Declaration and Certification Form, Moreland City Council, November 2012	C83
King Khalid Islamic College Primary School Campus Incorporated Plan - May 2004	C41
Melbourne City Link Project – Advertising Sign Locations, November 2003	VC20
Moreland Heritage Exemptions Incorporated Plan 2023	C226more
Moreland Tree Planting Manual for Residential Zones, 2019	C189more
Pentridge Coburg Design Guidelines and Masterplan, February 2014	C154
Pentridge Village Design Guidelines and Masterplan, August 2009	C125
Merri-bek Development Contribution Plan Merri-bek Development Contribution Plan (SGS Economics and Planning, December 2023)	VC249
Merri-bek Development Contribution Plan 2 (HillPDA, April 2025)	C236mbek
2015 DCP Addendum, December 2022	C221more
Signage on sports grounds Incorporated Document, June 2019	C169more
Sheppard Street and Norris Street, Coburg North Incorporated Plan, 2021	C201more
Statements of Significance Incorporated under Clause 43.01	
<ul style="list-style-type: none"> ▪ Abruzzo Club, 373-381 Lygon Street Brunswick East Statement of Significance 2022 ▪ Alanbrae, 73 Plumpton Avenue, Glenroy Statement of Significance 2022 ▪ Alhambra Theatre (former), 828 Sydney Road Brunswick Statement of Significance 2022 ▪ Attached Houses, 23 & 25 Luscombe Street, Brunswick, Statement of Significance, September 2019 ▪ Attached Houses, 46 & 48 Gold Street, Brunswick, Statement of Significance, September 2019 ▪ Attached Houses, 60 & 62 Glenlyon Road, Brunswick, Statement of Significance, September 2019 ▪ Attached Houses, 248 & 250 Barkly Street, Brunswick Statement of Significance 2022 	C208more C208more C208more C174morePt1 C174morePt1 C174morept1 C208more

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Name of document	Introduced by:
▪ Attached Houses, 635–637 Park Street Brunswick Statement of Significance 2022	C208more
▪ Baptist Church (former), 126 Bruce Street Coburg Statement of Significance 2022	C208more
▪ Bell Street Bridge, Corner of Bell Street and Nicholson Street, Coburg, Statement of Significance, September 2019	C174morept1
▪ Bethany Gospel Hall (former), 235 Victoria Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Bluestone Retaining Walls, Deveraux Street, Draska Court, Short Avenue, Vincent Street, Ash Grove and Xavier Street Oak Park Statement of Significance 2022	C208more
▪ Brunswick & Coburg UFS Dispensary (former), 228 Melville Road, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ Brunswick Electricity Supply Substations Statement of Significance 2022	C208more
▪ Brunswick Velodrome, 50–72 Harrison Street Brunswick East Statement of Significance 2022	C208more
▪ 'Canals House', 7 Parkview Avenue, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ Church School (former) and Cretan Brotherhood, 148–150 Nicholson Street Brunswick East Statement of Significance 2022	C208more
▪ 'Closer Settlement House ('Rancho') 9 Waxman Parade, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ Closer Settlement Houses, Statement of Significance, September 2019	C174morept1
▪ Coburg Market, 415–423 Sydney Road Coburg Statement of Significance 2022	C208more
▪ Coburg Olympic Swimming Pool, 50 Murray Road Coburg North Statement of Significance 2022	C208more
▪ Coburg Police Station (former), 160-162 Bell Street, Coburg, Statement of Significance, September 2019	C174morept1
▪ Coburg Velodrome, 30-34 Charles Street Coburg North Statement of Significance 2022	C208more
▪ Concrete House, 1 South Daly Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ Concrete House and Fence, 383 Brunswick Road Brunswick Statement of Significance 2022	C208more
▪ Coonans Hill Precinct Statement of Significance 2022	C208more
▪ Corner Shop (former) & Residence, 80 Union Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Corner Shop (former) & Residence, 103 Albion Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Corner Shop (former) & Residence, 209 Barkly Street, Brunswick, Statement of Significance, September 2019	C174morept1

MERRI-BEK PLANNING SCHEME

Name of document	Introduced by:
▪ Dairy & Milk Bar (former), 136A Nicholson Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ 'Devon' (House), 38 John Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ Edward Street Precinct Statement of Significance 2022	C208more
▪ Erindale, 20 Anketell Street, Coburg Statement of Significance 2022	C208more
▪ Fairman & Sons Warehouse (former), 443 Albion Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ First City of Brunswick Scout Hall (former), later Brunswick Cinema, Toscana Social Club, 273 Victoria Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Filwear Hosiery Factory (former), 11 Thomas Street Brunswick Statement of Significance 2022	C208more
▪ Flats, 113 Nicholson Street Brunswick East Statement of Significance 2022	C208more
▪ 'Fleming Park,' 47-51 Albert Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ 'Forfarshire' (House), 86 Laura Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Former Millers Ropeworks, now RMIT University, 29 Dawson Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Former Prestige Mill Complex, 159-165 Donald Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ Former W.T Rawleigh and Co – factory & warehouse, 60 Dawson Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ 'Glen Iris' & 'Hazel Glen', 28 & 30 Albert Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ Glenferrie, 17 Breeze Street Brunswick Statement of Significance 2022	C208more
▪ Glenmorgan Albion and Clarence Streets Precinct Statement of Significance 2022	C208more
▪ Glenroy Library, 737 Pascoe Vale Road Glenroy Statement of Significance 2022	C208more
▪ Gordon Street and Devon Avenue Precinct Statement of Significance 2022	C208more
▪ Hanover Street Precinct Statement of Significance 2022	C208more
▪ Hickford Street Precinct, Statement of Significance, September 2019	C174morept1
▪ Holy Trinity Orthodox Church (Former St Cuthberts Church of England, 42A Nicholson Street Brunswick East Statement of Significance 2022	C208more
▪ House, 4 Vincent Street Oak Park Statement of Significance 2022	C208more
▪ House, 5 Bank Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 5 Laura Street, Brunswick, Statement of Significance, September 2019	C174morept1

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MERRI-BEK PLANNING SCHEME

Name of document	Introduced by:
▪ House, 8 Aintree Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ House ,12 Forster Court Pascoe Vale South Statement of Significance 2022	C208more
▪ House, 19 Balmoral Avenue, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ House, 22 Josephine Street Oak Park Statement of Significance 2022	C208more
▪ House, 23 Evans Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 23 Holmes Road, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ House, 28 McMahrens Road Coburg North Statement of Significance 2022	C208more
▪ House, 30 Davies Street Brunswick Statement of Significance 2022	C208more
▪ House, 31 Bunnell Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ House, 32 Carr Street Coburg North Statement of Significance 2022	C208more
▪ House, 38 David Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 44 Eastgate Street Pascoe Vale South Statement of Significance 2022	C208more
▪ House, 46 Murdock Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 94 Hope Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 96 Lydia Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 112 Moreland Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 137 Albert Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 181 Moreland Road Coburg Statement of Significance 2022	C208more
▪ House, 195 Barkly Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 307 Brunswick Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 609 Park Street Brunswick Statement of Significance 2022	C208more
▪ House, 685 Park Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 25 Richardson Street (rear) Brunswick Statement of Significance 2022	C208more
▪ House & Canary Island Palm, 255 Nicholson Street, Brunswick East, Statement of Significance, September 2019	C174morept1

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MERRI-BEK PLANNING SCHEME

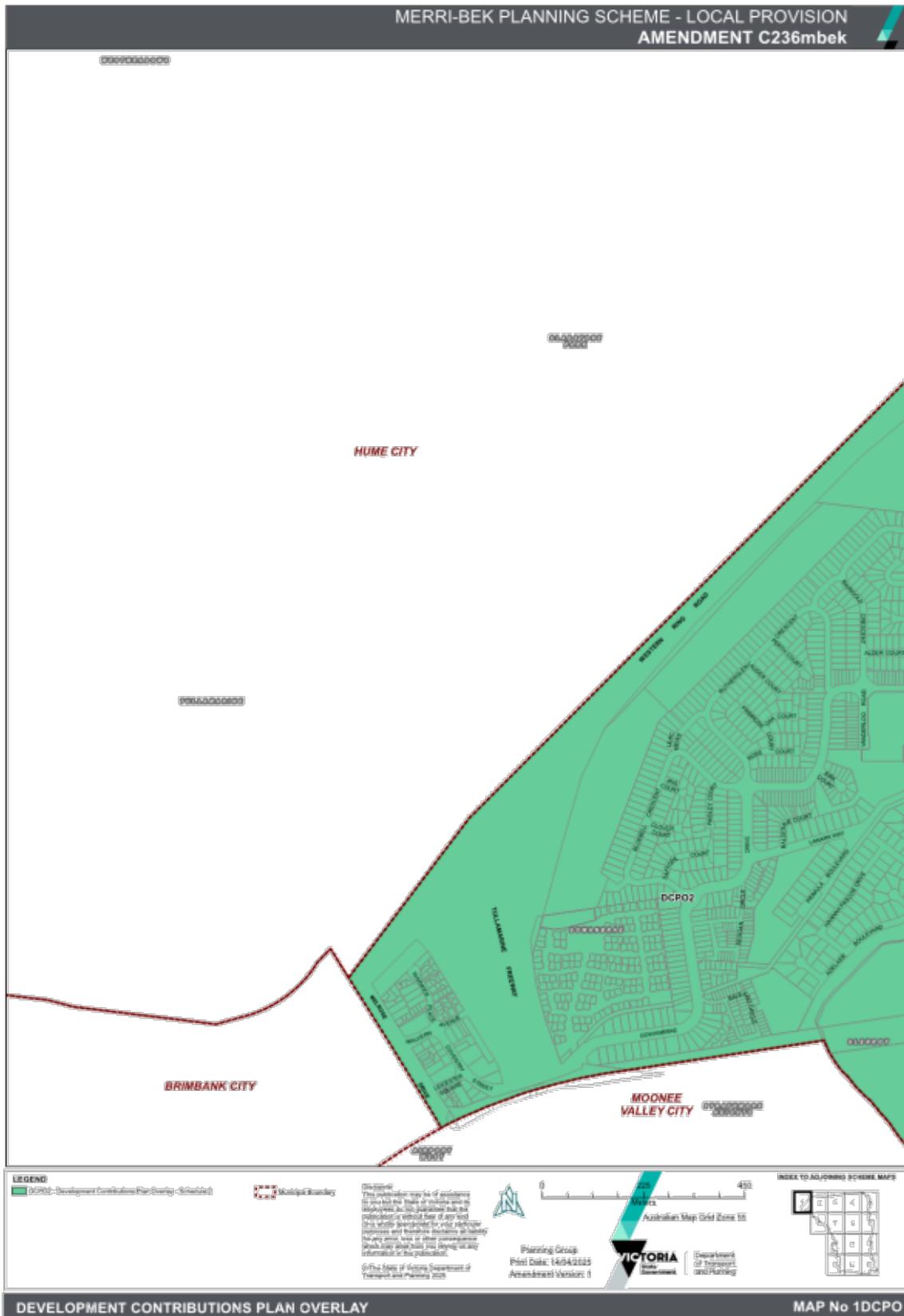
Name of document	Introduced by:
▪ House & Front Fence, 33 Newman Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ House & Front Fence, 22 Grantham Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ House & Front Fences, 92 & 94 Whitby Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ House, Stables and Garden, 52 St Phillip Street Brunswick East Statement of Significance 2022	C208more
▪ Houses, 13 & 15 Rosser Street Brunswick Statement of Significance 2022	C208more
▪ Houses, 63 & 65 Union Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ H.P.L. Morris Chemist (former) & Residence, 153 Reynard Street, Coburg, Statement of Significance, September 2019	C174morept1
▪ Irving Estate Precinct Statement of Significance 2022	C208more
▪ 'Kororoit' (Concrete House), 70 Heller Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ 'Lochiel', 9 Aberdeen Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ 'Lough Brae' (House) 35 Cassels Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ McGeorge's Terrace, 14-24 Rosser Street Brunswick Statement of Significance 2022	C208more
▪ Meaker Avenue Precinct, Statement of Significance, September 2019	C174morept1
▪ 'Moorefield' (Outbuilding), 2/197 The Avenue, Coburg, Statement of Significance, September 2019	C211more
▪ 'Moreland Baptist Church Complex' 384 Moreland Road, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ Moreton Bay Fig, 24 Jessie Street Coburg Statement of Significance 2022	C208more
▪ 'Oamaru' (Aitken House), 26 Walsh Street, Coburg, Statement of Significance, September 2019	C174morept1
▪ 'Oomah' (House), 73 Hope Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Our Lady Help of Christians Catholic Church, 49A Nicholson Street Brunswick East Statement of Significance 2022	C208more
▪ Phillipstown Precinct, Brunswick Statement of Significance 2022	C208more
▪ Primitive Methodist Mission Hall, 170 Albert Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Railway Place Precinct Statement of Significance 2022	C208more
▪ Rogers Memorial Reserve, 109 Cumberland Road, Pascoe Vale, Statement of Significance, September 2019	C174morept1
▪ Roslyn, 131 Moreland Road Coburg Statement of Significance 2022	C208more

MERRI-BEK PLANNING SCHEME

Name of document	Introduced by:
▪ Scout Hall (former), 19 Edward Street Coburg Statement of Significance 2022	C208more
▪ Shop, 490 Sydney Road Coburg Statement of Significance 2022	C208more
▪ Shop, 492 Sydney Road Coburg Statement of Significance 2022	C208more
▪ Shop (former) & Residence, 105 Munro Street, Coburg, Statement of Significance, September 2019	C174morept1
▪ Shop & Residence, 425 Sydney Road, Coburg, Statement of Significance, September 2019	C174morept1
▪ Shops & Residences, 431 & 433 Sydney Road, Coburg, Statement of Significance, September 2019	C174morept1
▪ St David's Uniting Church and Hall, 72-76 Melville Road Brunswick West Statement of Significance 2022	C208more
▪ State Savings Bank of Victoria (former), 840 Sydney Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Sydney Road and Bell Street Interwar Shops Precinct Statement of Significance 2022	C208more
▪ Terrace, 163-169 Barkly Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace, 183-187 Edward Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace, 206-210 Barkly Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terraces, 233-239 Brunswick Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace, 639-647 Park Street Brunswick Statement of Significance 2022	C208more
▪ Terrace Houses, 16 & 18 Glenlyon Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses (23 – Canaway House, 25 – Albert House) 23 & 25 Albert Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses (31 – Inverurie, 33 – Keithall), 31 & 33 Lygon Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses, 109 & 111 Albert Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses, 140 & 142 Edward Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses (213 - Ethel, 215 – Edith, 217 – Alice, 219 – Betty), 211-219 Barkly Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses, 241 & 243 Victoria Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses & Fences, 76 & 78 Hope Street, Brunswick, Statement of Significance, September 2019	C174morept1

MERRI-BEK PLANNING SCHEME

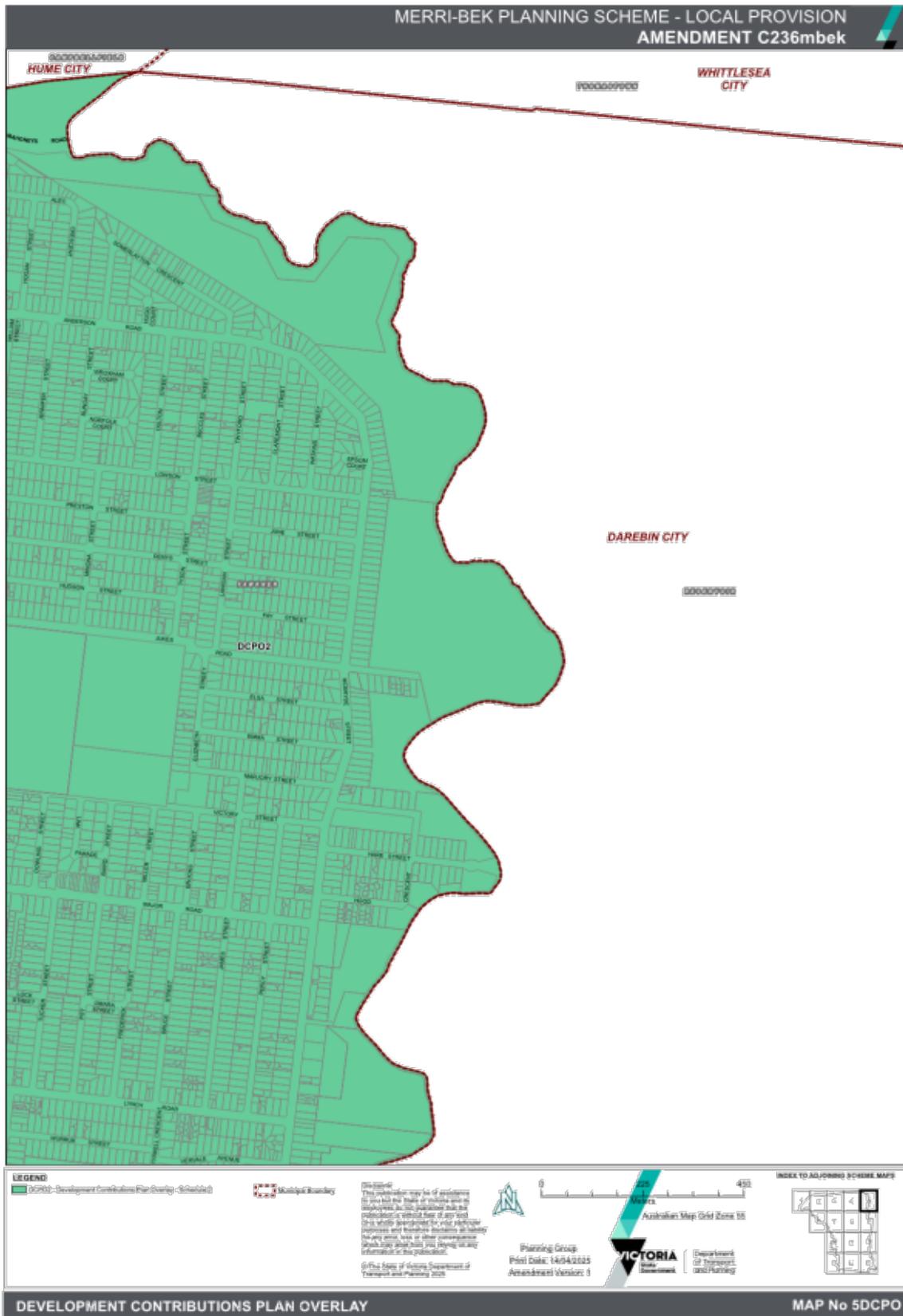
Name of document	Introduced by:
▪ Terrace Houses & Fences, 134-136 Barkly Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ 'The Elms' (House), 683 Park Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Tinning Street Precinct, Statement of Significance, September 2019	C174morept1
▪ 'Tyrone' (House), 193 Brunswick Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ 'Uxbridge' (House) 16 Home Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ 'Victoria Hotel', 380-382 Victoria Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Victoria Street Precinct (Brunswick) Statement of Significance 2022	C208more
▪ Walham, 1/86 Gordon Street Coburg Statement of Significance 2022	C208more
▪ War Service Homes (Brick), Statement of Significance, September 2019	C174morept1
▪ War Service Homes (Timber), Statement of Significance, September 2019	C174morept1
▪ Waxman Parade Precinct, Statement of Significance, September 2019	C174morept1
▪ Worth's Hosiery Factory (former), 2 St Phillip Street Brunswick East Statement of Significance 2022	C208more
▪ Yorkshire Textile Mills (Former), 2-4 Inverness Street, Brunswick East, Statement of Significance, September 2019	C174morept1
Tramway Infrastructure Upgrades Incorporated Document, May 2017	GC68
10 Dawson Street, Brunswick - February 2021	C210more
Latiner Hat Factory, 20 Dawson Street, Brunswick, Statement of Significance, September 2019	C212more

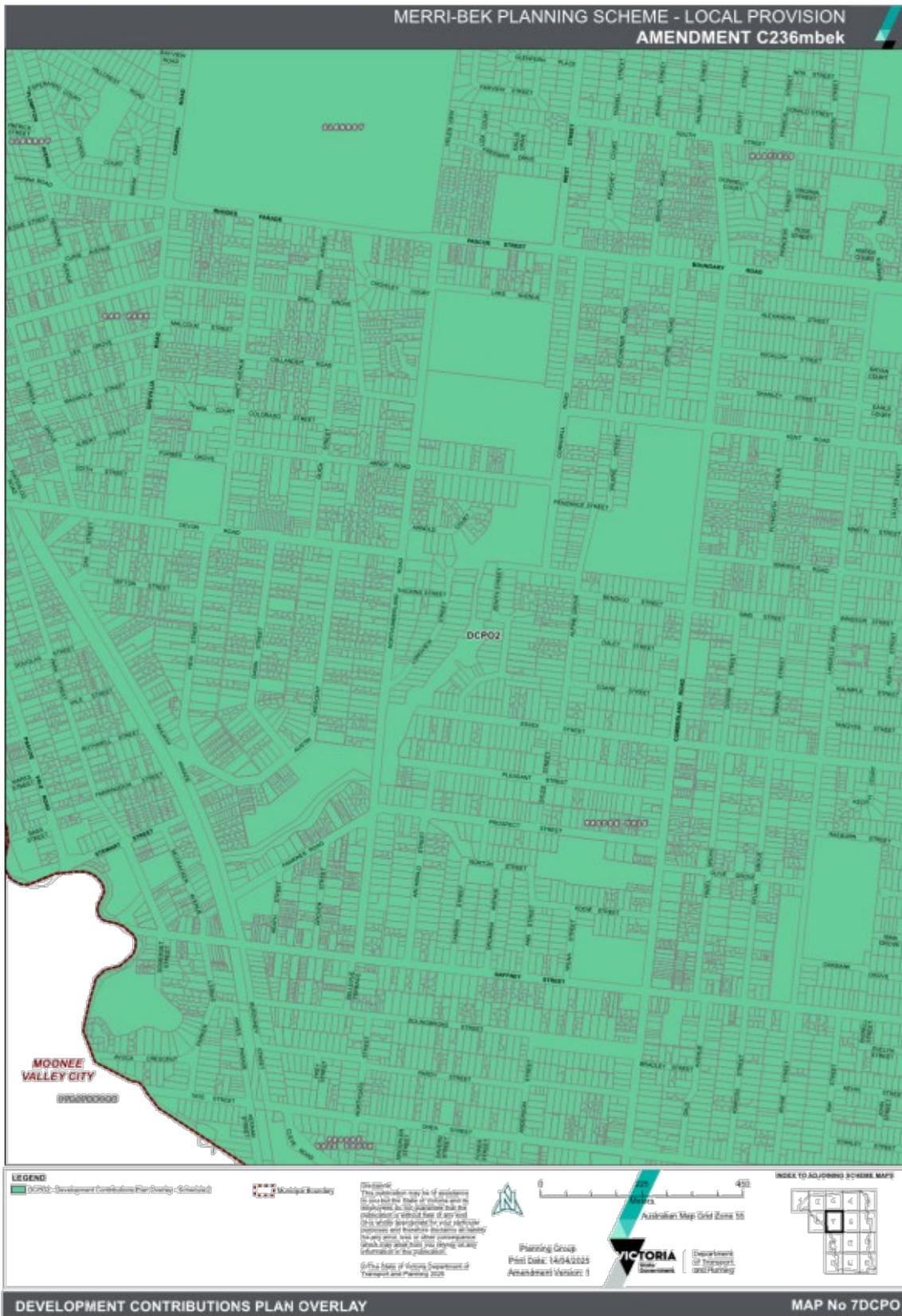




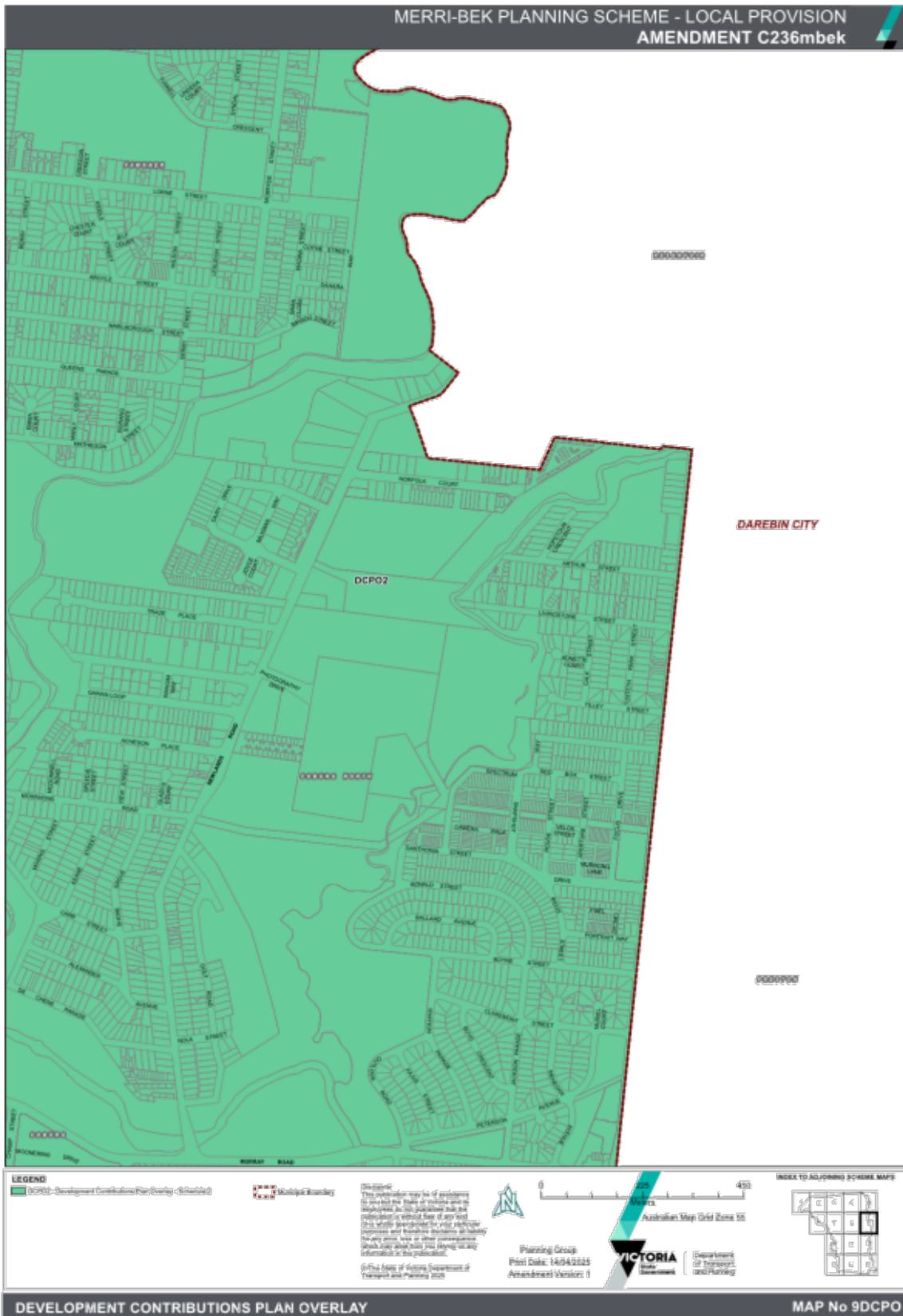


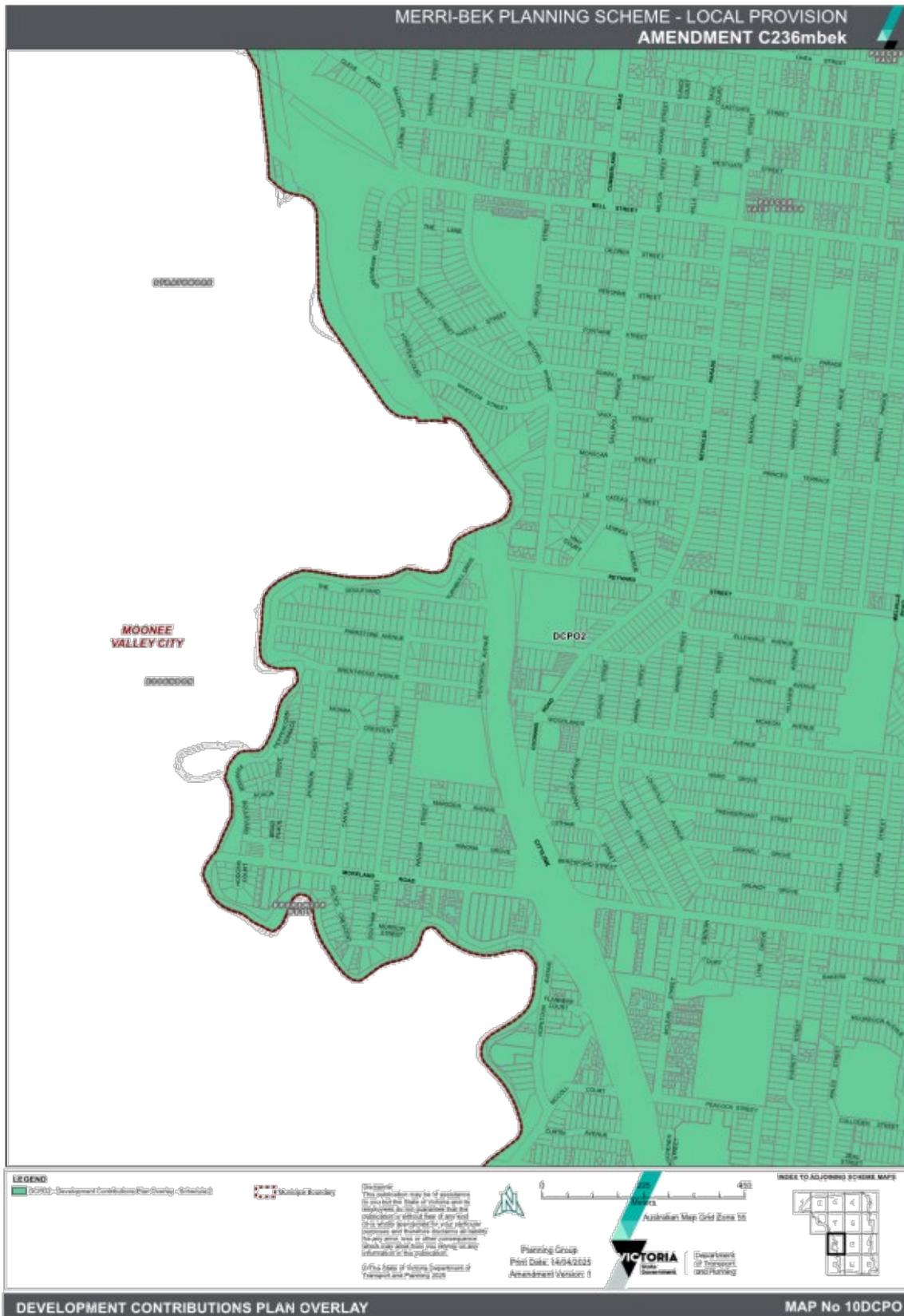




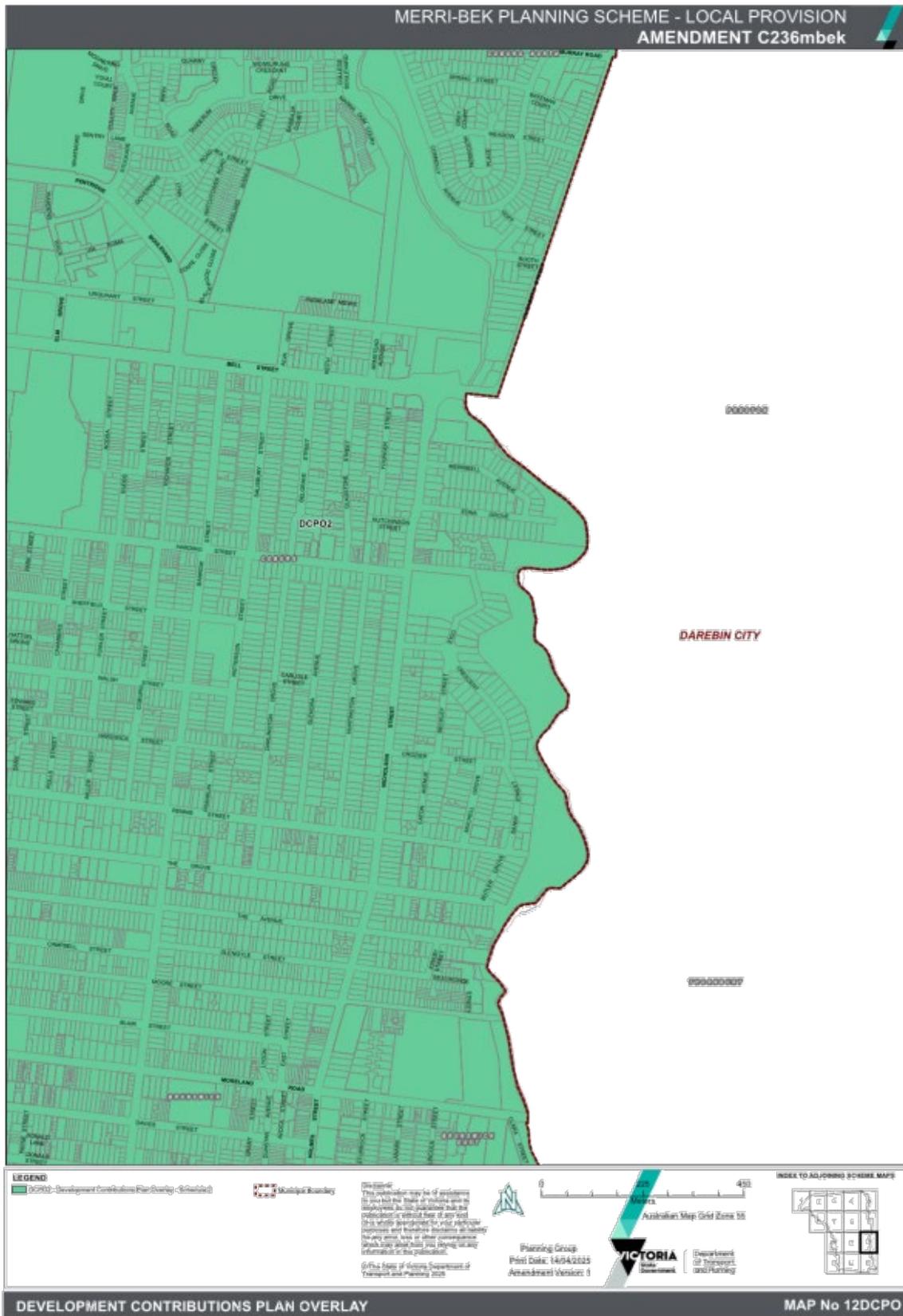


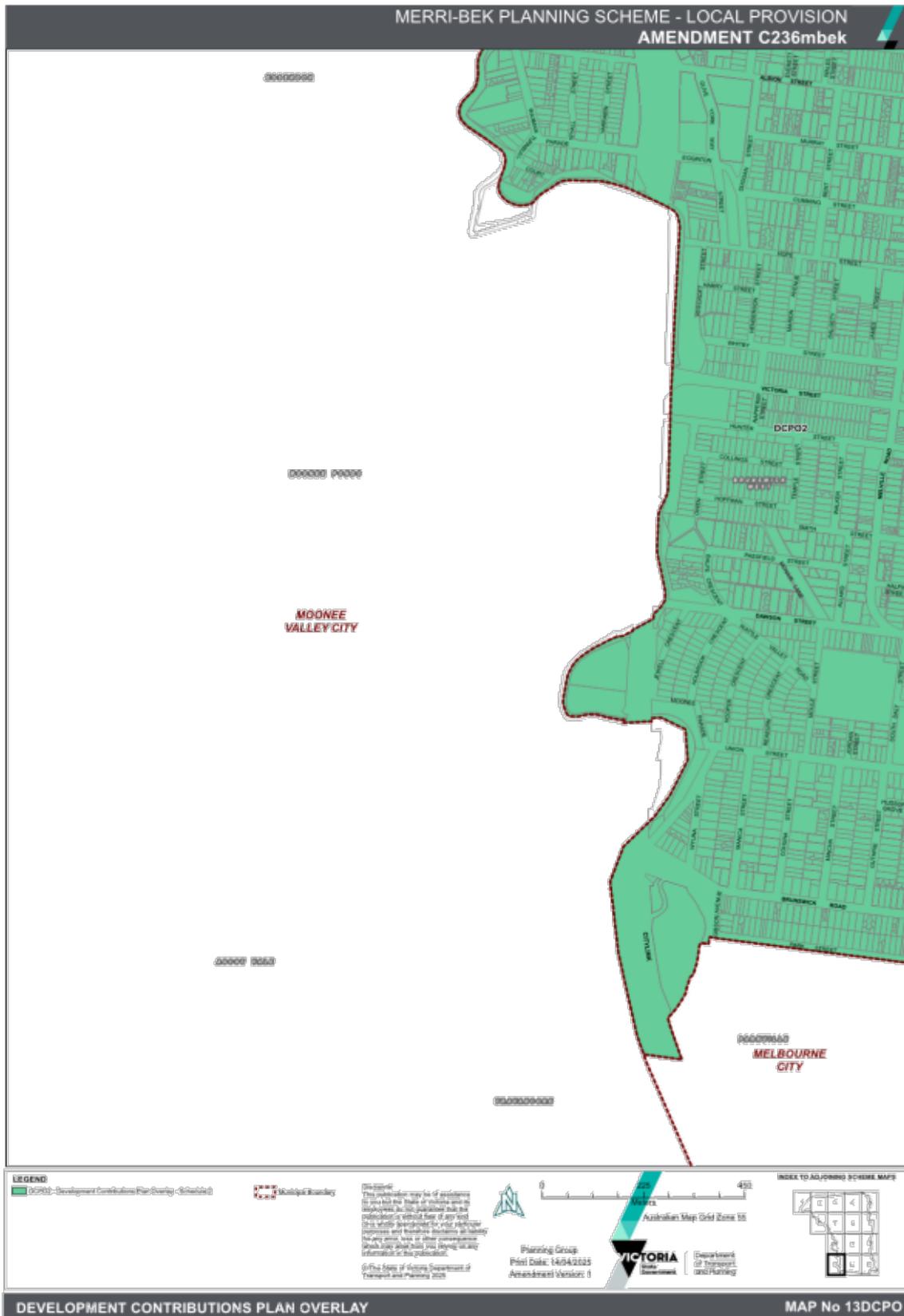


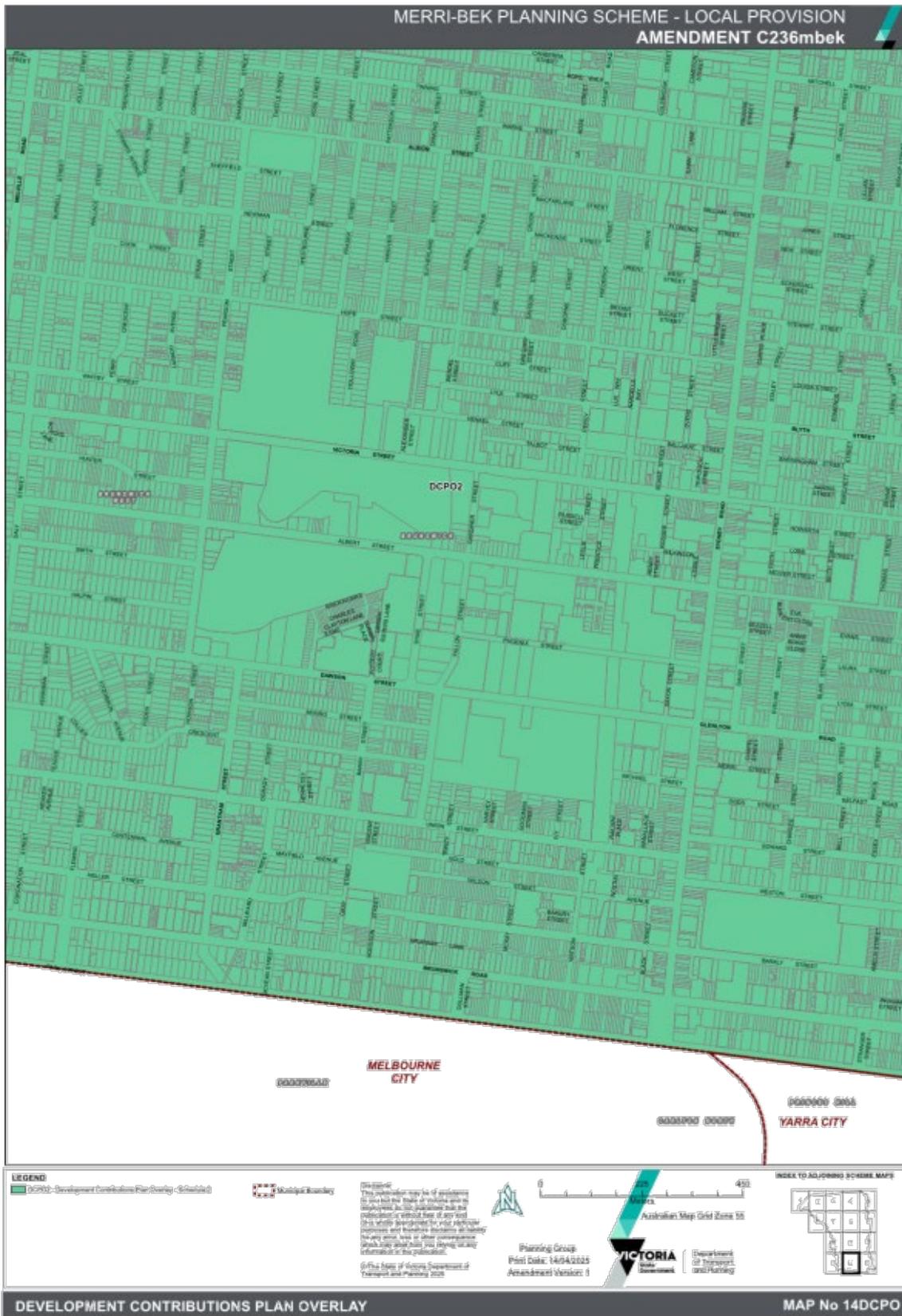


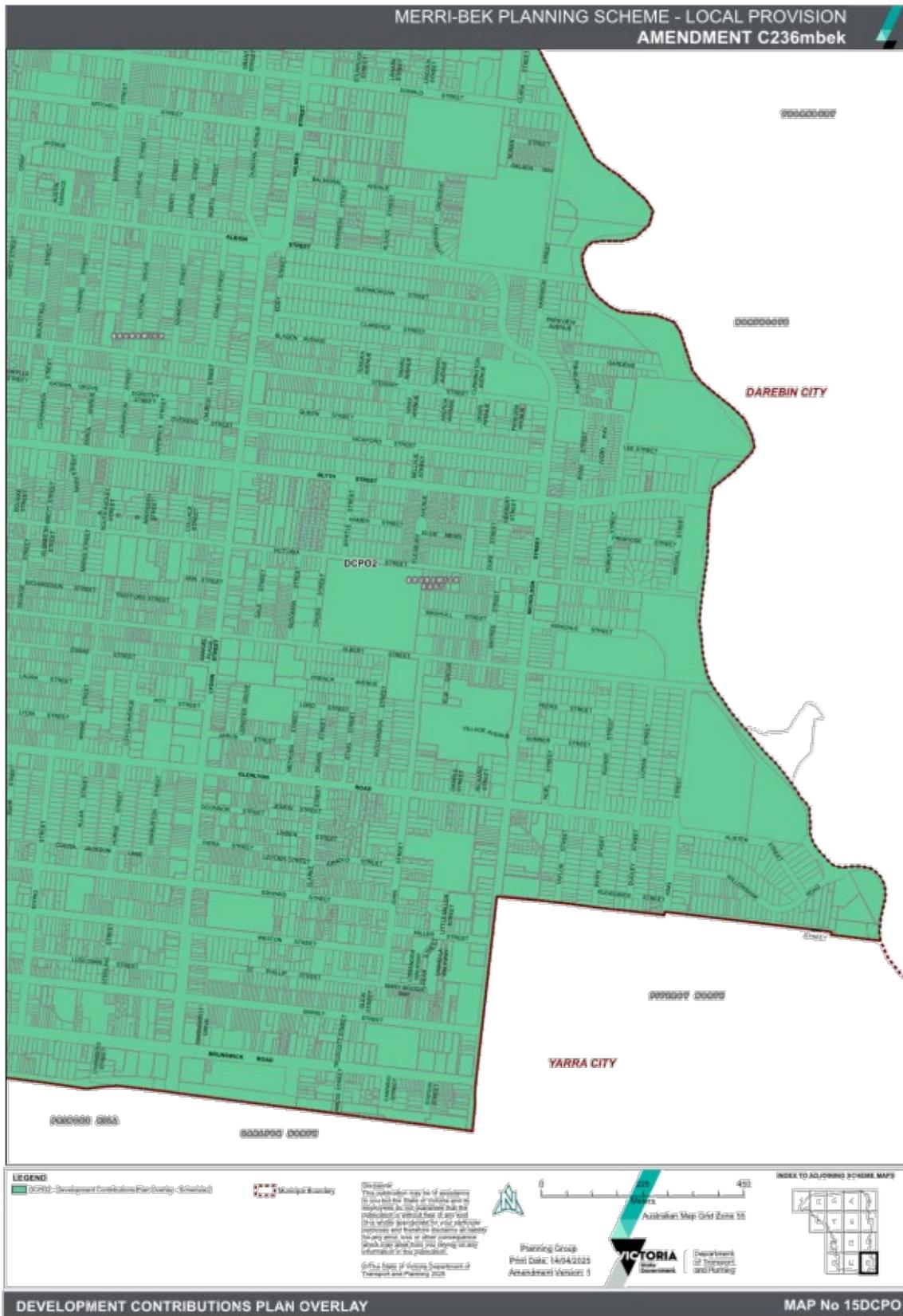












Planning and Environment Act 1987

Merri-bek Planning Scheme

Amendment C236mbek

Explanatory Report

Overview

The amendment introduces Council's new municipal-wide *Development Contributions Plan, April 2025* (HIIIPDA, April 2025) into the Merri-bek Planning Scheme.

It does this by applying the Development Contributions Plan Overlay Schedule 2 (DCPO2) to all land in the municipality.

Where you may inspect this amendment

The amendment can be inspected free of charge at the [insert planning authority name] website at [insert planning authority's website]

And/or

The amendment is available for public inspection, free of charge, during office hours at the following places:

[insert planning authority's details]

The amendment can also be inspected free of charge at the Department of Transport and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

The following two sections of the Explanatory Report are only applicable to exhibited amendments.

Submissions

Include for exhibited amendments and remove at adoption.

Any person may make a submission to the planning authority about the amendment [and/or planning permit]. Submissions about the amendment [and/or planning permit] must be received by [insert submissions due date].

A submission must be sent to: [insert planning authority's address]

Panel hearing dates

Include for exhibited amendments and remove at adoption.

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- Directions hearing: [insert directions hearing date]
- Panel hearing: [insert panel hearing date]

Details of the amendment

Who is the planning authority?

This amendment has been prepared by the Merri-bek City Council, which is the planning authority for this amendment.

The amendment has been made at the request of Merri-bek City Council.

Land affected by the amendment

The amendment applies to all land in Merri-bek and affects all new residential, commercial, and industrial developments within the municipality. A map of the land affected by the Amendment is provided at Attachment 1 to this Explanatory Report.

Non-government schools and certain types of developments (renovations, alterations, demolition, and construction of a replacement building, outbuildings, reinstatement of a damaged building) are exempt from the requirement to pay development contributions, as described in Schedule 2 to the Development Contributions Plan (DCPO2) in the Merri-bek Planning Scheme.

What the amendment does

The amendment proposes to introduce the municipal-wide *Merri-bek Development Contributions Plan, April 2025* (HillPDA, April 2025) into the Merri-bek Planning Scheme by applying the Development Contributions Plan Overlay Schedule 2 (DCPO2) to all land in the municipality.

Specifically, the amendment proposes to:

Planning Scheme Ordinance

1. Inserts a new Schedule 2 to Clause 45.06 (Development Contributions Plan) into the Merri-bek Planning Scheme.
2. Amends the Schedule to Clause 72.04 (Incorporated Documents) to incorporate the *Merri-bek Development Contributions Plan, April 2025* (HillPDA, April 2025).

Planning Scheme Maps

3. Inserts new Planning Scheme Map Nos. 1(DCPO2), 2(DCPO2), 3(DCPO2), 4(DCPO2), 5(DCPO2), 6(DCPO2), 7(DCPO2), 8(DCPO2), 9(DCPO2), 10(DCPO2), 11(DCPO2), 12(DCPO2), 13(DCPO2), 14(DCPO2) and 15(DCPO2).

Strategic assessment of the amendment

Why is the amendment required?

In 2015 Council adopted the *Moreland Development Contributions Plan 2015* (DCP 1.0) as a formal, lawful, and equitable way to collect contributions from new development toward the necessary infrastructure for a growing population.

Now that the date by which Council can collect levies under DCP 1.0 has expired, Council has prepared a new municipal-wide DCP, the *Merri-bek Development Contributions Plan, April 2025* (HillPDA, April 2025) (DCP 2.0) to support new and upgraded infrastructure needs over the next 15 years. The DCP includes capital infrastructure projects aimed at improving Council's roads, public realm, drainage, and community facilities.

The Amendment is required to introduce DCP 2.0 into the Merri-bek Planning Scheme so that Council can continue to collect contributions from new residential, commercial, and industrial development.

DCP 2.0 establishes an obligation on Council to collect levies in line with specified rates in the Merri-bek Planning Scheme, deliver the infrastructure projects listed in the DCP's incorporated document, and spend the collected levies on these projects.

It will provide certainty for Council, developers, and the broader community about how and to what extent new residential, retail, commercial, and industrial developer will be levied to ensure the necessary infrastructure is delivered in a timely manner. The DCP will further remove the uncertainty and resource intensity associated with the current case-by-case voluntary negotiations and agreements between Council and a developer.

How does the amendment implement the objectives of planning in Victoria?

The Amendment seeks to implement the following objectives set out at Section 3 of the *Planning and Environment Act 1987*, to:

- (a) *to provide for the fair, orderly, economic and sustainable use and development of land;*
- (c) *to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
- (e) *to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;*
- (f) *to balance the present and future interests of all Victorians.*

The amendment seeks to implement these objectives by:

- Providing a formal, lawful and equitable method to collect contributions for the provision of essential social and physical infrastructure;
- Providing certainty as to required development contributions; and
- Aiding the provision of necessary social and physical infrastructure throughout the municipality.

How does the amendment address any environmental, social and

economic effects?

This amendment is expected to have positive social, economic and environmental benefits by:

- Ensuring the equitable collection and distribution of development contributions throughout the municipality to provide for a significant financial contribution to community infrastructure.
- Enabling Council to provide the timely delivery of infrastructure to support housing growth and the economic development that springs from increased commercial and industrial floorspace in Merri-bek.
- Funding improvements to Council's public realm and drainage infrastructure.

Does the amendment address relevant bushfire risk?

The amendment does not relate to land that is within a designated bushfire area.

Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

The amendment is consistent with each of the Ministerial Directions on Development Contribution Plans and Ministerial Reporting Requirements for Development Contribution Plans made under sections 46M and 46Q of the *Planning and Environment Act 1987*. The DCP 2.0 has been developed in line with these directions.

The amendment is consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* under Section 7(5) of the *Planning and Environment Act 1987*. The content has been drafted in line with this direction.

The amendment has been prepared in accordance with the strategic considerations set out in *Ministerial Direction No. 11 Strategic Assessment of Amendment* made under Section 12 of the *Planning and Environment Act 1987*. The amendment is consistent with this direction which ensures a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces.

The amendment also complies with *Ministerial Direction No. 9 – Metropolitan Strategy* which requires that planning scheme amendments have regard to *Plan for Victoria*. All changes to the Merri-bek Planning Scheme are consistent with the following directions and policies of *Plan for Victoria*, including:

- Pillar 2: Accessible Jobs and Services – Enabling you to connect to jobs, education, healthcare, shops, and the services you need to live a productive and prosperous life.

A key direction of this pillar is ensuring communities have access to services and community facilities that are required to lead healthy, productive lives.

The Amendment supports this direction by introducing a new developer contributions plan that will help fund infrastructure to support a growing community.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment introduces Council's adopted *Merri-bek Development Contributions Plan, April 2025* into the Merri-bek Planning Scheme. This aligns with Clause 19 (Infrastructure) of Planning Policy Framework (PPF) by ensuring the provision of social and physical infrastructure in an efficient, equitable, accessible, and timely manner.

Specifically, the amendment aligns with Clause 19.03-1S (Development and infrastructure contributions plans) of the PPF by ensuring the timely provision of planned infrastructure to the Merri-bek community through the preparation and implementation of a development contribution plan. The amendment was also prepared having regard to the *Development Contributions Guidelines* (Department of Sustainability and Environment, 2003 -as amended 2007).

How does the amendment support or implement the Municipal Planning Strategy?

The amendment will achieve the MPS vision of sustainable neighbourhoods. It introduces a new development contributions plan into the planning scheme which will enable the collection of levies from new development. This change will help fund community and development infrastructure that is required to support key elements of sustainable neighbourhoods around community facilities.

The amendment is also consistent with Clause 02.03-8 Infrastructure of the MPS. This strategy seeks to optimise access to community infrastructure (e.g., health, education, social, leisure, and cultural facilities), suited to the local community's needs in different locations.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victorian Planning Provisions by applying the Development Contributions Plan Overlay to all land and introducing a Development Contributions Plan into the Merri-bek Planning Scheme to equitably fund community and development infrastructure throughout the municipality.

How does the amendment address the views of any relevant agency?

The views of any relevant agency will be sought as part of the public exhibition of the amendment.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

There are no particular requirements of the *Transport Integration Act 2010* which are relevant to the amendment.

The DCP project list includes road projects. These road projects have been sourced from Council's Capital Works Program and Council's Condition Based Program. The DCP will collect levies to help fund upgrades to these roads.

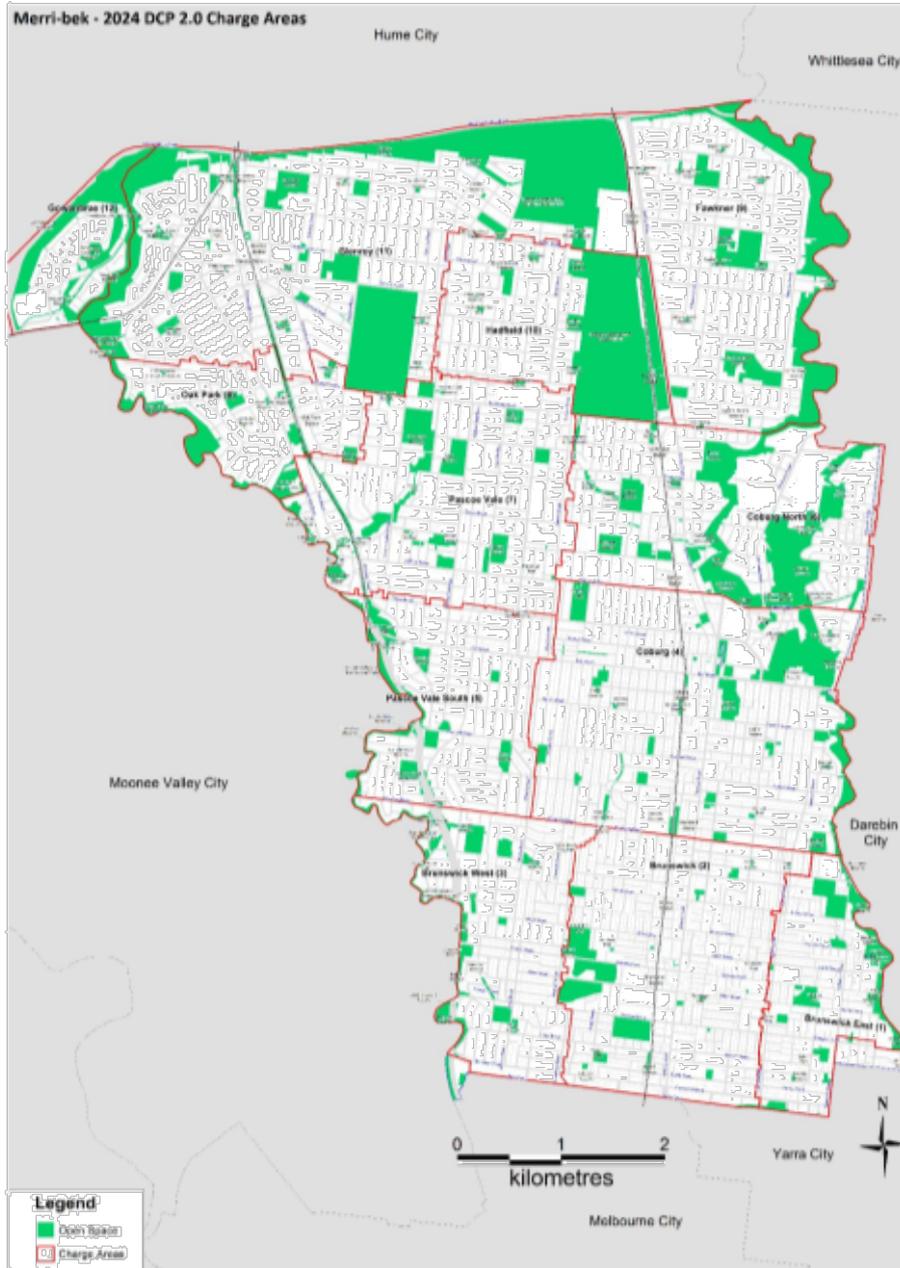
Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The administration of the DCP will have resourcing implications on several Council Branches and Units, who will oversee the levying of the DCP, receipt of payments and oversight of project delivery. It is expected that resourcing and governance oversight of the DCP will be met through existing resourcing within relevant Branches and Units in a similar way to how the DCP 1.0 has been administered.

DRAFT

Attachment 1 – Land affected by the Amendment



Planning and Environment Act 1987

Merri-bek Planning Scheme

Amendment C236mbek

Instruction sheet

The planning authority for this amendment is the Merri-bek City Council.

The Merri-bek Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 15 attached map sheets.

Overlay Maps

1. Insert new Planning Scheme Map Nos. 1(DCPO2), 2(DCPO2), 3(DCPO2), 4(DCPO2), 5(DCPO2), 6(DCPO2), 7(DCPO2), 8(DCPO2), 9(DCPO2), 10(DCPO2), 11(DCPO2), 12(DCPO2), 13(DCPO2), 14(DCPO2) and 15(DCPO2) in the manner shown on the attached maps marked Merri-bek Planning Scheme, Amendment C236mbek.

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

2. In **Overlays** - Clause 45.06, insert a new Schedule 2 in the form of the attached document.
3. In **Operational Provisions** – Clause 72.04, replace the Schedule with a new Schedule in the form of the attached document.

End of document

7.6 YEAR 4 COUNCIL ACTION PLAN 2024-25 - THIRD QUARTER PERFORMANCE REPORT

Director Business Transformation, Sue Vujcevic

Governance and Strategy

Officer Recommendation

That Council:

1. Notes the Year 4 Council Action Plan 2024-25 – Third Quarter Performance Report (provided as Attachment 1) and the achievements to date in delivering against the Council Plan 2021-25.
2. Endorse the following actions to be placed on hold from Council Action Plan 2024-25 as outlined in section three of this report.
 - a) Place on hold Action 215: *Commence construction on the West Street streetscape renewal project*
 - b) Place on hold Action 216: *Progress construction of the Wheatsheaf Road Glenroy streetscape improvement project.*

REPORT

Executive Summary

The Third Quarter Performance Report (provided as **Attachment 1**) provides an overview of Council's performance through the delivery of the Council Plan 2021-25, specifically the Year 4 Council Action Plan 2024-25.

The status of the 64 actions is as follows:

- 11% (7 action) closed (achieved)
- 85% (54 actions) in progress (on track)
- 1% (1 action) is off-track (behind target)
- 3% (2 actions) withdrawn (on hold or remove).

The Year 4 Council Action Plan in the third quarter shows that 96 per cent are either achieved or on track for completion in the delivering the final year action plan for the overarching 2021-25 Council Plan, with some notable achievements as highlighted in the report.

Endorsement is sought to place the following actions on hold, due to external partnerships delays that are impacting the delivery of these actions.

- Action 215: *Commence construction on the West Street streetscape renewal project.*
- Action 216: *Progress construction of the Wheatsheaf Road Glenroy streetscape improvement project.*

This report also highlights the overall progress of delivering initiatives as outlined in the Council Plan 2021-25.

Previous Council Decisions

Year 4 Council Action Plan 2023-24 – Second Quarter Performance Report – 12 February 2025

That Council:

1. *Notes the Year 4 Council Action Plan 2024-25 – Second Quarter Performance Report (provided as Attachment 1) and the achievements to date in delivering against the Council Plan 2021-25*
2. *Notes the remaining action from the Council Action Plan 2023-24 has been delivered.*

Year 4 Council Action Plan 2023-24 – First Quarter Performance Report – 11 December 2024

That Council:

1. *Noted the Year 4 Council Action Plan 2024-25 – First Quarter Performance Report (provided as Attachment 1) and the achievements to date in delivering against the Council Plan 2021-25*
2. *Noted one action from the Council Action Plan 2023-24 has been delivered and there is one remaining action 'not achieved'.*

1. Policy Context

In accordance with sections 88 and 90 of the *Local Government Act 2020*, Council adopted its Community Vision 2021-31 and Council Plan 2021-25 in October 2021.

The Year 4 Council Action Plan 2024-25 supports the implementation of the Council Plan 2021-25 for the fourth and final financial year of the 4-year period and included specific actions to be undertaken that were resourced through the 2024-25 annual budget (included in the 2024-28 budget).

This report supports Council's continuing commitment to sustainable, equitable and transparent management of funds on behalf of ratepayers, key stakeholders and the broader community.

2. Background

The purpose of the third quarter performance report is to provide a status update on delivery against Council Action Plan 2024-25 as at 31 March 2025. These are outlined in the table below in section three of this report.

3. Issues

Council Action Plan Performance 2024-25

Of the 64 actions in the Council Action Plan 2045-25, 96% per cent are either achieved or on track for completion in the delivering the final year action plan for the overarching 2021-25 Council Plan.

Some key highlights across the five strategic themes include:

Theme 1: Important progress was made in sustainability initiatives, including the Sustainable Communities Outreach pilot, which engaged 296 community members and recruited 60 participants for health workshops.

A \$739,850 grant was secured to electrify the Oak Park Sports and Aquatic Centre. The Annual Tree Planting Program successfully added 3,506 trees, increasing urban greenery. Additionally, five schools participated in the Ride & Stride program, promoting active transport, and the E-bike Library pilot was extended. The Sydney Road Festival featured over 135 vendors using alternatives to single-use plastics, showcasing our commitment to environmental sustainability.

Theme 2: Advocacy for the duplication, extension, and electrification of the Upfield Rail Line remains a priority, with Merri-bek engaging Federal MPs and candidates to secure \$4 million for a scoping report. Recent meetings with key candidates and the Federal Minister for Infrastructure have strengthened support, resulting in a \$2 million election commitment from the Federal Coalition. This followed an announcement from the Australian Government in February for \$7.05 million for delivery of a business case to develop and prioritise options for upgrades to Melbourne's northern metropolitan railway lines, including the Upfield and Craigieburn train lines.

The road resurfacing program for 2024/25 is nearly complete, with road renewals progressing well. Planning for 'Streets for People' projects is underway, and the first draft of the Action Plan is ready, with community engagement scheduled for later this year.

Theme 3: Highlights from key programs have included successfully supporting 58 new residents who received one-on-one assistance navigating the Aged Care system, bringing the total to 333 for the year. Additionally, six outreach sessions on Council services that support older residents were held, including participation at the Sydney Road Street Party.

The Disability Access and Inclusion Plan has seen staff receive a Communication Access accreditation to better assist customers with complex needs. A free multi-arts program for individuals with disabilities was launched, and accessible entry points have been installed in key locations as part of ongoing access improvements. The continued implementation of the LGBTIQA+ Action Plan, 50 attended an intergenerational event, 100 joined the Queer audio tour, and 300 participated in the Inclusive Gym and Swim night, showcasing vibrant community engagement.

Theme 4: Highlights have included the Council-endorsed vision for a new Coburg Library and Piazza in February 2025, outlining objectives and a funding strategy. The recently opened Balam Balam Place, a \$30 million redevelopment, provides a dynamic cultural hub with essential community services, fostering creativity and connectivity in Brunswick.

The development programs into the Shopping Strip Renewal Program continued at West Street Shopping Precinct in Hadfield, supporting traders. Three business skills workshops were conducted, bringing the total for the year to 10, facilitated a visit to Coburg by the Victorian Government's Small Business Bus.

The activation program across Brunswick, Glenroy, and Coburg has included the opening of Michelle Guglielmo Park and several exciting community activations to welcome residents back to the space. Other highlights include the launch of Summer StoryFest, a series of lunch and read events and the beginning of a Projection series that will continue throughout the year. A "Come and Try" event was also held at the Wilson Ave Climbing Wall, and a Harmony Day Story Time event activated Victoria Mall.

Theme 5: Council actively engaged with local State and Federal Members of Parliament, focusing on key advocacy for the Upfield Rail Line duplication, the Central Coburg Library redevelopment, and block funding for aged care. A submission to the Victorian Building Electrification Regulatory Impact Statement urged the phase-out of gas in residential and commercial properties.

Council also called for a transparent assessment of public housing options in response to the Parliamentary Inquiry. Collaborative efforts with advocacy partners have advanced transport priorities and greenhouse actions. Additionally, 83% of staff completed the 'Service with HEART' training, enhancing customer service delivery.

Detailed commentary for the third quarter performance of the Council Action Plan 2024-25 are shown in **Attachment 1**.

Completed actions (Achieved)

Council has completed seven actions, which account for 11% of the Council Action Plan 2024-25. Since the previous quarter's report, the following five actions have been completed.

Action #	Action Description and Update:	Directorate
3	<p>Urban forest strategy – implementation of annual tree planting program including identifying ways to support the community to preserve and plant new trees on private and public land</p> <p>The 2024 Annual Tree Planting Program successfully planted 3,506 trees. This initiative focused on enhancing our urban environment, with approximately 85% of the trees planted along streets to improve air quality, provide shade, and beautify our roadways. The remaining 15% were planted in parks, contributing to these recreational areas' overall greenery and ecological health.</p>	City Infrastructure
180	<p>Complete the Pilot Library Social Worker to support community wellbeing</p> <p>The Pilot Library Social Worker program was undertaken, and service was provided to library users with challenging and complex needs. The pilot program is now concluded, and an evaluation has been completed.</p> <p>Following the Library Social Worker trial, Coburg Library Staff are being supported through targeted sessions with a clinician from, Council's Employee Assistance Program provider, to build skills in reflective practice. Vulnerable, unhoused Merri-bek community members continue to be supported by temporary additional support from MOSS – Merri-Outreach Services and the ongoing assertive outreach provided by Vincentcare.</p>	Community
210	<p>Finalise construction of the Saxon Street Brunswick facility and open space</p> <p>Balam Balam Place (Saxon Street Brunswick sight) was opened to the public on Monday, 3 March 2025. The significant \$30 million redevelopment has created a state-of-the-art cultural, creative, and accessible hub with welcoming and affordable spaces for creatives, artists, and the Brunswick community. This significant investment in our city's cultural future ensures that Merri-bek continues to thrive as an inclusive and creative place to live, work, and connect.</p> <p>Alongside artistic and innovative opportunities, the hub will also feature vital community services such as Maternal and Child Health (MCH), further enriching the community's access to essential resources.</p>	City Infrastructure
219	<p>Complete construction for 260 Sydney Road Brunswick (Park Close To Home)</p> <p>All works at the new park are now complete, with the stormwater connection works completed in March, the Michelle Guglielmo Park is open for all to enjoy, and event bookings are live.</p>	Place and Environment

Action #	Action Description and Update:	Directorate
222	<p>Develop a funding and delivery strategy for a new library in central Coburg that includes a functional brief for future library services, potential co-located uses, adjacent open space and public realm, and captures these within an initial Concept Plan</p> <p>Council endorsed a vision and brief for a new Coburg Library and Piazza in February 2025. The endorsed brief includes a vision, objectives, a funding and delivery strategy, functional briefs, and proposed location (pending testing).</p>	Community

On track (In Progress)

54 or 85 per cent of actions are on track for completion in the delivering the final year action plan for the overarching 2021-25 Council Plan.

Detailed updates for the third quarter performance are shown in **Attachment 1**.

Off track (Behind Target)

One action or one per cent of actions currently considered 'Off Track' in Council Action Plan 2024-25. Action update are listed in table below.

Action #	Action Description and Update:	Directorate
209	<p>Commence construction of Brunswick Early Years Centre</p> <p>The project has been delayed as Council is awaiting confirmation from the Department of Education (Victorian School Building Authority) regarding funding and the timeline for construction of the Hub.</p>	Community

Withdrawn (On hold or remove)

Two or three per cent of actions proposed to be either placed on hold or withdrawn from the 2024-25 Council Action Plan. Details are shown in the table below.

Action #	Action Description and Update:	Directorate
215	<p>Commence construction on the West Street streetscape renewal project</p> <p>The project is still in detailed design and has a delayed design schedule due to flood modelling requirements and Melbourne Water approvals. Tender is now anticipated in May 2025, with construction expected to commence in the second half of 2025.</p> <p>Council endorsement is sought to place this action on hold due to external partnership delays.</p> <p>If the hold extends beyond the current financial year, this important, funded initiative may be considered for inclusion in the next Council Action Plan for adoption in the upcoming financial year.</p>	Place and Environment

Action #	Action Description and Update:	Directorate
216	<p>Progress construction of the Wheatsheaf Road Glenroy streetscape improvement project</p> <p>Works are still on hold pending final approvals from the Department of Transport and Planning. Conversations are ongoing to discuss the proposed alignment of the drainage infrastructure and underground services.</p> <p>Council endorsement is sought to place this action on hold due to external partnership delays.</p> <p>If the hold extends beyond the current financial year, this important, funded initiative may be considered for inclusion in the next Council Action Plan for adoption in the upcoming financial year.</p>	Place and Environment

Community impact

Community impact is addressed throughout the Council Plan 2021-25 but primarily under strategic objective 5: To build community trust through encouraging participation, evidence-based decision making, stewardship of resources and being accessible and responsive.

Climate emergency and environmental sustainability implications

Climate emergency and environmental sustainability implications are addressed throughout the Council Plan 2021-25 but primarily under strategic objectives 1, 2 and 3:

1. To strive for maximum protection of people, plants and animals through leading an urgent response to the climate emergency and a regeneration of our natural environment
2. To contribute to the health, safety, and security of everyone living in our diverse community and to increase safe, accessible, physically active and enjoyable ways to get around Merri-bek, especially via walking, cycling and public transport.
3. To support Merri-bek to become a more inclusive, connected, healthy and caring community through providing equitable access to community facilities and services and facilitating local partnerships and programs.

Economic sustainability implications

Economic sustainability implications are addressed throughout the Council Plan 2021-25 but primarily under strategic objective 4: To create welcoming, unique spaces and places across Merri-bek that attract and connect everyone, improving access to community facilities and affordable housing and encouraging vibrant artistic, social and economic activity.

Legal and risk considerations

The Merri-bek Community Vision 2021-31 and Merri-bek Council Plan 2021-25 and processes associated with the development of these documents have been undertaken in accordance with the requirements of the *Local Government Act 2020* and the *Public Health and Wellbeing Act 2008*.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Community consultation and engagement

Community consultation and engagement was not required for this report as it reflects the performance against the Council Plan 2021 – 25.

Advice was sought from officers across Council to provide the performance updates.

Affected persons rights and interests

Before making a decision that affects a person's rights, Council must identify whose rights may be directly affected and provide an opportunity for that person (or persons) to convey those views regarding the effect on their rights and consider those views. There are no individual rights or interests affected.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

All actions documented in the Council Action Plan 2024-25 were resourced through the 2023-24 annual budget (included in the 2024-28 Budget).

7. Implementation

The Year 4 Council Action Plan 2024-25 third quarter performance results will be made available on Council's website.

Attachment/s

- 1 Council Action Plan Report Q3 2024-25 D25/198049



**Merri-bek
City
Council**

**Council Action Plan
2024-2025**

3rd Quarter Performance Report



ACKNOWLEDGEMENT OF COUNTRY

Merri-bek City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Custodians of the lands and waterways in the area now known as Merri-bek. We pay respect to their Elders past, present, and emerging, as well as to all First Nations communities, who significantly contribute to the life of the area.

Executive Summary

This report supports Council's continuing commitment to sustainable, equitable and transparent management of funds on behalf of Merri-bek ratepayers, key stakeholders, and the broader community.

In accordance with sections 88 and 90 of the Local Government Act 2020, Council adopted a new Community Vision 2021-2031 and Council Plan 2021-2025 on 20th October 2021. These were developed as major outputs of a four-stage engagement program which included a deliberative panel process.

The Council Action Plan 2023-24 was adopted which supports implementation of the Council Plan 2021-2025 for the fourth and final financial year of the 4-year period. It includes the specific actions to be taken during the fourth financial year in the implementation of the Council Plan 2021-2025.

This Third Quarter Performance Report gives an update on delivery of the Council Action Plan 2024-25.

In summary, the status of the 64 actions in the plan is as follows:

Number	Percentage	Status	Definition	Traffic Light
7	11%	Achieved	Completed, achieved	
54	85%	In Progress	On track	
1	1%	Off Track	Behind Target	
2	3%	Withdrawn	On hold or removed	

The rest of this report below provides a detailed progress update for each action below including:

- A description of the action
- The status in the form of a traffic light (see table above); an
- Relevant officer commentary.

Theme 1: An environmentally proactive Merri-bek

1: To strive for maximum protection of people’s health, plants and animals through leading an urgent response to the climate emergency and a regeneration of our natural environment

Action Code	Action Name	Directorate	Status	Comments
1	Continue to implement the Zero Carbon Merri-bek Climate Emergency Action Plan and develop new Zero Carbon Merri-bek Action Plan to commence 2025	Place and Environment		<p>Key highlights this quarter included:</p> <p>The Sustainable Communities Outreach pilot visited six community groups with 296 members to speak about Council's sustainability programs and subsidies and recruited 60 people to attend heat health workshops for women and families in Fawkner.</p> <p>Secured a \$739,850 grant through the Federal Government's Community Energy Upgrades Fund towards the electrification of Oak Park Sports and Aquatic Centre. Advocacy, including submission to the Victorian Government's Building Electrification Regulatory Impact Statement to support phasing out of all gas appliances so households and businesses can access the cost savings, emissions reductions and health benefits of fully electrified buildings; collaborative advocacy to the federal government for the Scaling Home Upgrades With Local Government proposal that seeks commitment of \$72.5M for a program that is inclusive of vulnerable and low-income households; to the Victorian Government's proposed increase to minimum standards for rental properties.</p> <p>Summary outcomes captured from the last five years of the Zero Carbon Merri-bek Climate Emergency Action Plan prepared, to be published as part of community consultation on the next Action Plan. Drafting of the Climate Emergency Action Plan 2025 - 2030, incorporating draft goals and actions to strive towards a zero-carbon, zero-waste, and climate-resilient Merri-bek.</p>
2	Continue the delivery of the Integrated Behaviour Change	Place and Environment		<p>Highlights for quarter have included:</p>

Action Code	Action Name	Directorate	Status	Comments
	Program including the Ride and Stride program with schools			<ul style="list-style-type: none"> - Ride & Stride program now delivering Volunteer-led Open Streets at 5 Merri-bek Schools, with Brunswick North Primary joining the initiative in Term 1, 2025. - Ride & Stride's new Bike Bus program launched at Coburg North Primary and Merri-bek Primary School. - Two more rounds of Wheel Sisters launched in Glenroy and Fawkner, with another 20 women from CALD backgrounds learning to ride. - Due to demand the Merri-bek's E-bike Library pilot extended at Sussex and Fawkner Neighbourhood Houses for another 12 months, with more Neighbourhood Houses in the pipeline. - Research completed with Monash University, XYX Lab, City of Port Phillip and City of Stonnington to better understand how young women move around our city, including a workshop in January 2025.
3	Urban forest strategy - implementation of annual tree planting program including identifying ways to support the community to preserve and plant new trees on private and public land	City Infrastructure	✓	The 2024 Annual Tree Planting Program successfully planted 3,506 trees. This initiative focused on enhancing our urban environment, with approximately 85% of the trees planted along streets to improve air quality, provide shade, and beautify our roadways. The remaining 15% were planted in parks, contributing to these recreational areas' overall greenery and ecological health.
14	Continue the implementation of the Plastic Wise Policy for community and council initiatives, including festivals, events and facilities	Place and Environment	●	<p>This quarter Council delivered its fourth Sydney Road Festival as a Plastic Wise event, with over 135 vendors using alternatives to the eight targeted single-use plastic items. Additional water stations and bottle fillers were provided to resolve previous water access issues.</p> <p>All five Brunswick Music Festival events on Council land were delivered as Plastic Wise events in March. Planning is underway for a plastic-free Glenroy Festival in May, with local business Green My Plate providing reusable crockery, ceramic mugs, and cutlery for the first time.</p>
120	Continue to implement the reformed kerbside waste service	City Infrastructure	●	Communication, community education, and support improved significantly during the quarter to ensure that participants in the fortnightly rubbish trial were prepared and ready for the trial starting on 1 July 2025.

Action Code	Action Name	Directorate	Status	Comments
123	Continue to deliver improved safety and thermal comfort of low-income residents at home through solar and energy efficiency subsidies initiative	Place and Environment	●	<p>During the last quarter, the solar and thermal subsidies program continued with place-based approaches to engagement alongside letters to low-income households. Over the financial year to date, 19 solar installations and 35 thermal installations have been completed. There are 27 households in the solar pipeline and 10 in the thermal upgrades pipeline.</p> <p>For the first time, the program supported two households in apartments to receive solar installations, with a further five expected by the end of the final quarter. The pilot program for split system upgrade subsidies for pensioner households progressed, with seven households confirmed as eligible for quotation.</p>
161	Construction of Dunstan Reserve (Brunswick West) stormwater harvesting system, subject to external funding	Place and Environment	●	<p>Construction is approaching completion, with practical completion anticipated in May. Although some minor delays have occurred, these issues were addressed to ensure timely delivery.</p>
164	Community and Neighbourhood Batteries - deploy the Brunswick Community Battery and continue investigation of locations and commercial models for potential future neighbourhood batteries	Place and Environment	●	<p>Progress against Council's two multi-year projects relating to Community and Neighbourhood Batteries over the past three months have included:</p> <p>Brunswick Community Battery—Council is awaiting formal approval of a federal departmental extension to deliver the project (initially expected on November 24). The Extension was formally approved on April 7, 2025.</p> <p>Powerlink Project—Investigations into additional battery configurations and internal stakeholder engagement were completed on the three viable sites. The Council determined a priority order for these sites and awaits external grant funding opportunities to apply for co-funding to deliver a battery at the priority sites.</p>
198	Undertake feasibility and detailed design of stormwater harvesting/wetlands sites at; De Chene Reserve, Coburg, Oak Park Reserve, Oak Park and CB Smith, Reserve, Fawkner in order to deliver on the	Place and Environment	●	<p>An initial feasibility analysis has been completed for Oak Park, De Chene, and CB Smith stormwater harvesting/wetlands sites. The feasibility outcome will inform more detailed design work, which will be issued to develop designs and future grant applications.</p>

5 | Merri-bek Council Action Plan 2024 – 2025 Q3 Report

Action Code	Action Name	Directorate	Status	Comments
	Integrated Water Management Strategy 2040 outcomes			
199	Development of a Circular Economy Strategy: Towards a Zero Waste Merri-bek	Place and Environment	●	Internal stakeholders have reviewed the draft Circular Economy Strategy—Towards a Zero Waste Merri-bek, which will be presented to the Council before stage 2 of community consultation in mid-2025.
200	Develop new Integrated Water Management Action Plan, including priority actions from Yarra and Maribyrnong IWM Forums, to commence in 2025	Place and Environment	●	A draft action plan has been prepared. The draft action plan is based on the endorsed Integrated Water Management (IWM) Strategy and incorporates the progress made over the previous five-year action plan and the gap analysis. The draft actions have been drafted to complement the state government-led IWM Forum priority actions and link to other Merri-bek action plans, including those currently under development. Pending approval by the Council at the 9 April Council meeting, feedback will be sought externally in April and May 2025.
201	Develop new Open Space Strategy Action Plan to commence in 2025	City Infrastructure	●	The Open Space Action Plan for 2025 to 2029 is currently under development. The four-year plan's basis is drawn from the actions already adopted by the Council in 2024. The action plan is expected to be completed in the second half of 2025.
202	Develop new Merri-bek Nature Plan Action Plan to commence in 2025	City Infrastructure	●	A draft of new Nature Plan actions has been prepared and will be presented to the community in mid-2025.
203	Delivery of the tricky places tree planting project for 2024-2025	City Infrastructure	●	<p>There were 85 new tree plots constructed in priority areas of low canopy cover and high urban heat islands at the following locations: -Collier Crescent (25 plots) in Brunswick West - Hunter Street (25 plots) in Brunswick West - Centennial Avenue (20 plots) in Brunswick West - Michael Street (8 plots) in Brunswick - Black Street Car Park (7 plots).</p> <p>Trees will be planted in these plots in the 2025 planting season starting in May 2025. Final preparations are underway for constructing 27 tree plots in Guthrie Street Brunswick West, which is due for completion by June 30 and will conclude the 2024-25 Tricky Spaces program.</p>

7 | Merri-bek Council Action Plan 2024 – 2025 Q3 Report

Theme 2: Moving and living safely in Merri-bek

2: To contribute to the health, safety, and security of everyone living in our diverse community and to increase safe, accessible, physically active and enjoyable ways to get around Merri-bek, especially via walking, cycling and public transport

Action Code	Action Name	Directorate	Status	Comments
27	Continue to advocate to improve public and sustainable transport capacity and equitable access across Merri-bek	CEO	●	<p>Advocacy for the duplication, extension and electrification of the Upfield Rail Line has been a key focal point for discussion with Federal MPs and candidates leading up to the 2025 Federal Election, specifically seeking a \$4 million commitment towards a scoping report for the Upfield Rail Line duplication, extension and electrification.</p> <p>Merri-bek met with Member for Wills Peter Kahlil and Greens Candidate for Wills Samantha Ratnam and has sought meetings with the Liberal Federal Candidate for Wills Jeff Kidney and several Victorian Senate Candidates. Via the Northern Councils Alliance, Merri-bek attended a meeting with the Federal Minister for Infrastructure Catherine King.</p> <p>In March, the Federal Coalition announced a \$2 million election commitment to a scoping study for the Upfield Rail Line duplication, extension, and electrification. NCA (with Merri-bek Mayor as Chair) attended the announcement.</p> <p>The Federal Government announced in February \$7.05 million for planning for Melbourne Northern Suburbs rail upgrades. The announcement included \$7.05 million matched funding from the Victorian Government (\$14.1 million total project cost). The funding includes investment in a business case to uplift services on the Craigieburn, Upfield, and Northern Growth Corridor.</p>
165	Deliver roads and car park capital works renewal and road resurfacing capital works program	City Infrastructure	●	<p>The resurfacing program is substantially complete for 2024/25. The road renewals program is also progressing well, with several road reconstruction projects complete, and some brought forward from future years to assist with achieving Developer Contributions Plan requirements.</p>
167	Deliver active travel capital works program	City Infrastructure	●	<p>Planning for a number of 'Streets for People' projects is underway. Design works for O'Hea Street and other pedestrian and bicycle projects are progressing.</p>

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Action Code	Action Name	Directorate	Status	Comments
				Construction on the South Street pedestrian improvement project is complete. Victoria / Albert Street shared zones and Kent Road pedestrian improvement projects are tendered with construction planned to commence in May 2025.
204	Develop the Transport Strategy Action Plan to commence in 2025	City Infrastructure		The first draft of the Action Plan is complete. Community engagement has been pushed back to the second half of the year to allow space for the Streets for People Plan to undergo community engagement and Council resolution.

Theme 3: A healthy and caring Merri-bek

3: To support Merri-bek to become a more inclusive, connected, healthy and caring community through providing equitable access to community facilities and services, facilitating local partnerships and programs, mitigating the effects of climate change and supporting the community to adapt and build climate resilience

Action Code	Action Name	Directorate	Status	Comments
34	Deliver Early Years Infrastructure Projects as listed in the 5-year Capital Works Program	Community	●	<ul style="list-style-type: none"> - Oak Park Kindergarten: The project completed in December 2024 included an additional 33-place kindergarten room and improved staff amenities, including staff offices and a meeting room. To be officially opened at an event at the Centre on Monday 31st March 2025 - Derby Street Children's Centre was completed in late January, including 27 kindergarten places and improved staff amenities. - Dunstan Reserve Child Care Centre: The project involves expanding the kindergarten by 22 places and improving amenities. The construction tender is in the final stages, and a builder is expected to be appointed by early April. - Northwest Brunswick Kindergarten: This project improves accessibility, including an accessible entry and bathroom. The design has been completed, but a builder has yet to be appointed. The works are anticipated to be completed before the end of 2025.
48	Continue implementation, monitor and evaluate the Social Cohesion Plan	Community	●	<p>This quarter, Council supported Merri-bek Interfaith Network in hosting a World Interfaith Harmony Week event at the Glenroy Hub on Sunday, February 9. This event brought together 120 people from diverse faith groups, showcasing local talents in a celebration of peace and community diversity.</p> <p>Merri-bek City Council and Hume, Darebin, and Whittlesea Councils are launching an 'Anti-racism Support Booklet' in March to mark the UN International Day for the Elimination of Racism. Following a survey to understand community needs better, this resource will provide information on reporting options and local support services.</p> <p>The Peoples' Report project was delivered, which explored community-led solutions for addressing discrimination. This innovative initiative recruited,</p>

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Action Code	Action Name	Directorate	Status	Comments
				trained, and supported five local individuals to develop and implement a community engagement process within Merri-bek's diverse communities. The findings from this project will contribute to the Council's work in the anti-racism space.
49	Finalise the navigation pilot - Aged Well planning to support older people to access services	Community	●	Council has supported 58 new residents through the pilot, taking the total for the year to 333 residents provided with one-to-one support. This support has been around navigating the Aged Care system and getting into services. Six outreach sessions were conducted over the last few months, including attendance at the Sydney Road Street Party.
50	Continue to implement to improve new outdoor help and services for older people	Community	●	As of February 2025, the program is fully exhausted and has reached its budget allocation. We have completed 184 jobs, and another 142 are scheduled to be completed, bringing the total number of residents accessing this program to 326.
52	Continue the implementation of the First Peoples Employment Plan	Business Transformation	●	A new First Peoples Employment plan is in planning and development. Key initiatives completed under the current plan this quarter have included cultural awareness training and events successfully delivered throughout the organisation as part of an annual well-being calendar.
131	Continue the implementation of the Gender Equity Action Plan	Business Transformation	●	A depot-based Women and Gender Diverse Network has been successfully launched, promoting a more inclusive environment within our organisation. An annual diversity and inclusion calendar has been developed and distributed to leaders, facilitating ongoing awareness and engagement. Additionally, a project aimed at enhancing the collection of staff demographic data is currently in its final testing stage, ensuring more accurate representation and support for our diverse workforce.
168	Continue implementation of the Disability Access and Inclusion Plan to meet the requirements of the Disability Act 2006	Community	●	The implementation of the Disability Access and Inclusion Plan is up to date. Some key highlights that have been met in the 3 months include: Scope Services awarded the Customer Service team Communication Access accreditation. Accreditation was a six-month process that has increased staff understanding and skills to communicate more effectively with customers with complex communication needs. A free multi-arts program for people with disabilities has been created at Glenroy Hub.

Action Code	Action Name	Directorate	Status	Comments
				<p>Advocacy letters written to state and federal ministers about improving health and education outcomes for neurodiverse people.</p> <p>Installed new accessible entry points (curb ramps) for Yubup Park, Frith Street, Brunswick.</p> <p>Convened Merri-bek Disability Service Provider Network.</p>
175	Advocate to secure long-term support to establish the Ballerit Mooroop Community Hub	Community	●	<p>Ballerit Mooroop Project Coordinators from Council and Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation have undertaken work to contribute to a strategic framework to inform a business case for the Ballerit Mooroop site. This has included visits to gathering places in other council areas to examine their operating models and inform the plans for a Ballerit Mooroop Gathering Place.</p> <p>Historians from Sue Hodges Productions (SHP) have commenced oral history interviews with people who strongly connect with Ballerit Mooroop/Koorie Open Door Education School. These interviews will form a collection of recorded stories about the site.</p> <p>Further community engagement work is being developed, including a Welcome Baby to Country event and Ballerit Mooroop Day 2025 planning.</p>
180	Complete the Pilot Library Social Worker to support community wellbeing	Community	✓	<p>The Pilot Library Social Worker program was undertaken, and service was provided to library users with challenging and complex needs. The pilot program is now concluded, and an evaluation has been completed.</p> <p>Following the Library Social Worker trial, Coburg Library Staff are being supported through targeted sessions with a clinician from, Council's Employee Assistance Program provider, to build skills in reflective practice. Vulnerable, unhoused Merri-bek community members continue to be supported by temporary additional support from MOSS – Merri-Outreach Services and the ongoing assertive outreach provided by Vincentcare.</p>
181	Implementation of the LGBTIQ+ Action Plan with key stakeholders	Community	●	<p>This quarter, officers discussed council programs and projects with members of the LGBTIQ+ communities at the Midsumma Carnival. However, extreme</p>

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Action Code	Action Name	Directorate	Status	Comments
				<p>heat prevented the Council from marching in the Midsumma Pride March.</p> <p>During Midsumma, Library Services hosted Lee's Café at Glenroy Library, where 50 people attended an intergenerational event celebrating the diversity of LGBTIQ+ communities in the north. While the Queer Histories/Queer Futures audio tour, produced in partnership with radio station 3CR, was launched at Michelle Guglielmo Park and was attended by 100 community members.</p> <p>The MY Rainbow program at the Oxygen Youth space continues to grow. Twenty-four young people attended the last session, building social connections and learning new skills.</p> <p>300 people also attended Brunswick Baths for Active Merri-bek's annual Inclusive Gym and Swim night. Council has joined partnership lead by Women's Health in the North to explore avenues to address transmisogyny and transphobia.</p> <p>The LGBTIQ+ reference group met and provided advice to Council officers on the future Rainbow footpath treatment, including possible locations and engagement activities.</p>
205	Complete the Fawkner Leisure Centre upgrade	City Infrastructure	✓	Action completed in quarter two.
206	Continue to implement the Climate Risk Foundational Action Plan and develop a new Climate Risk Action Plan to commence in 2025	Place and Environment	●	<p>The work on climate hazard, exposure, and vulnerability analysis of Merri-bek has progressed well in the past few months. The information is expected to be useful for planning and future actions. New datasets, including locations for vulnerable facilities and changes in land surface temperature in Merri-bek, have also been made available in the Council's mapping system.</p> <p>Climate risk continues to be integrated into policies, such as developing the Municipal Public Health and Wellbeing Plan, which is integrated with the Council Plan, the Integrated Water Management Action Plan, and the Nature Plan.</p>

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Action Code	Action Name	Directorate	Status	Comments
				<p>Key summer activities to support the community through extreme heat include holding two first aid and heat health workshops for new parents, supporting heat health packs for people experiencing homelessness, and developing information materials on holding heat-safe events for venue hirers.</p> <p>Preparations for the next action plan are in progress through the Climate Emergency Action Plan, which is planned for Council consideration in August or September this year.</p>
207	Implement Year 1 of the Homelessness Action Plan	Community	●	Implementation of the Homelessness Action Plan continued this quarter. The Functional Zero service coordination program is ongoing with regular key stakeholder and 'Hot Spots' meetings. The Merri Assertive Community Outreach program is also ongoing. Quarterly reports and weekly meetings are provided to ensure this program is on track.
208	Implement Year 4 Sport and Active Recreation Strategy	Community	●	The evaluation of the current strategy has been completed. A refreshed recreation strategy will be developed in August, informed by a community survey on fair access to ensure inclusivity in our approach.
209	Commence construction of Brunswick Early Years Centre	Community	●	The project has been delayed as Council is awaiting confirmation from the Department of Education (Victorian School Building Authority) regarding funding and the timeline for construction of the Hub.

Theme 4: Vibrant spaces and places in Merri-bek

4: To create welcoming, unique spaces and places across Merri-bek that attract and connect everyone, improving access to community facilities and affordable housing and encouraging vibrant artistic, social and economic activity

Action Code	Action Name	Directorate	Status	Comments
76	Continue to support Merri-bek Affordable Housing Ltd partnership	Place and Environment	●	Work has progressed on potential future projects on council land. In March, Council officers facilitated the decommissioning of the car park ahead of the start of construction of the Wilkinson St project. The final settlement of the

Action Code	Action Name	Directorate	Status	Comments
				land sale was affected on 2 April. A joint communications plan between project partners for the Wilkinson project is in place.
80	Continue to advocate for zero carbon in the planning scheme through the Council Alliance for Sustainable Built Environments (CASBE)	Place and Environment	●	Advocacy work is continuing as required, including in the Council's submission to the draft 30-year Infrastructure Strategy. Council officers are working with the Council Alliance for Sustainable Built Environments (CASBE) to understand the implications of recently announced reforms to residential development standards.
94	Continue to integrate and implement business development programs into the Shopping Strip Renewal Program (SSRP)	Place and Environment	●	Over the past months, the West Street Shop Front Improvement Program, benefiting 10 businesses, was completed. Further support was provided to the West Street Trader Association, including advice on recruiting a social media contractor. The Shopping Strip Renewal Program 2024-25 Evaluation was also commenced, with the evaluation scheduled to be completed in the coming months. Council's 2024/25 Parklet Grant continued to be promoted and run for traders in small and neighbourhood activity centres.
96	Continue to implement adaptive training and support programs for micro and small businesses	Place and Environment	●	From February to March, three business skills training workshops and networking events were held with the business community, including Practical AI for Business (12 Feb 2024), Winning Government Grants & Tenders (18 Feb 2025), and Crafting a Winning Strategic Business Plan (27 Feb 2024). Council also facilitated a visit to Coburg by the Victorian Government's Small Business Bus. This brings the number of business skills and training workshops held this financial year to 10.
97	Continue to support the Love Merri-bek Buy Local campaign	Place and Environment	●	During the latest quarter, Council continued to support the Love Merri-bek Buy Local campaign, with several businesses supported in listing themselves on the Love Merri-bek business online directory. Work also continued on a new Trail Map, which is targeted for release in the coming months.
98	Collaborate with local traders, residents, agencies and creatives to develop and implement an activation program for Brunswick, Glenroy and Coburg	Place and Environment	●	Following the opening of Michelle Guglielmo Park, a range of activations have been held to welcome the community back into the space, including the launch and opening event for the Summer StoryFest, a series of lunch and read Pop events, and the commencement of a Projection series which will continue through the year. Come and Try event was held at the Wilson Ave Climbing Wall. A Harmony Day Story Time event was held to activate

Action Code	Action Name	Directorate	Status	Comments
				Victoria Mall. Project development is on track for events in Coburg and Glenroy over the remainder of the financial year.
108	Implement two key visitor attraction activities - To raise awareness of Merri-bek as a great place to visit, work, and to run a business, implement additional 'trail maps' showcasing visitor destinations and hold an annual roundtable with prominent tourism operators to discuss opportunities for collaboration	Place and Environment	●	Worked with the Sydney Road Brunswick Association, Central Coburg Business Association, and Visit Victoria resulted in a dedicated post on the VisitMelbourne Instagram accounts to 1.1M followers promoting Sydney Road, Merri-bek. Additionally, work progressed on a forthcoming Merri-bek Trail Guide—Hidden Northern Gems Map.
134	Continue preparation of a new Development Contributions Plan	Place and Environment	●	Background technical work continues to be drafted to understand how capital works projects are apportioned to a Development Contributions levy.
148	Progress a planning scheme amendment to include stormwater drainage modelling within the Planning Scheme	Place and Environment	●	At its February 2025 meeting Council resolved to refer the Amendment to an Independent Planning Panel. A Planning Panel to hear the Amendment will take place in June 2025.
152	Implement the Affordable Housing Action Plan	Place and Environment	●	Council gave referral advice on several planning permit applications to support the delivery of affordable housing in private development and not-for-profit developments. Provided strategic guidance and commissioned housing needs research into the Coburg Revitalisation project, prepared submission to Victorian Parliament Inquiry into Public Housing Towers redevelopment, and convened Affordable Housing Reference Group meeting.
153	Finalise development plans for the construction of a new storage annex, refurbishment of the Coburg Historical Society Bluestone Cottage and creation of a heritage garden in consultation with Historical Society	Community	●	Significant consultation was undertaken with the Coburg Historical Society to inform the plans for the Coburg Bluestone Cottage site. Consultation with the Wurunderji Council and other stakeholders is underway to inform the establishment of a First Nations garden and recognition of pre-colonial history as part of the precinct.

Action Code	Action Name	Directorate	Status	Comments
182	Through the Brunswick Design District partnership, continue to elevate Brunswick's profile as a design district	Place and Environment	●	Officers focused on planning and scheduling a Melbourne Design Week event, which is set to take place in the coming months. Additionally, the brochure titled "What is the Brunswick Design District," launched at the business networking event, was widely distributed, particularly through RMIT University.
183	Implement two key activities to support business and job growth within Merri-bek's key (e.g. top 5) and/or emerging industry sectors	Place and Environment	●	From January to March, a health tour with RMIT University and Merri-bek's emerging biomedtech ecosystem involved a day-long tour visiting RMIT's health labs and several Merri-bek health tech and Biomed tech businesses. Various other meetings and industry networking events complemented the event. Planning for the food industry networking event, which will be held in conjunction with Melbourne's North Food Group, is underway, and delivery is expected in the coming months.
193	Local History Maintenance & Conservation: deliver Heritage and Local History implementation action plan items	Community	●	The Heritage and Local History implementation action plan items scheduled for this financial year have been completed. The queer history of Merri-bek audio tour was launched with partners 3CR at Midsumma Festival in February 2025. The First Nations history project - addressing the contemporary history of the Ballert Moorroop site - is nearing completion.
210	Finalise construction of the Saxon Street Brunswick facility and open space	City Infrastructure	✓	Balam Balam Place (Saxon Street Brunswick sight) was opened to the public on Monday, 3 March 2025. The significant \$30 million redevelopment has created a state-of-the-art cultural, creative, and accessible hub with welcoming and affordable spaces for creatives, artists, and the Brunswick community. This significant investment in our city's cultural future ensures that Merri-bek continues to thrive as an inclusive and creative place to live, work, and connect. Alongside artistic and innovative opportunities, the hub will also feature vital community services such as Maternal and Child Health (MCH), further enriching the community's access to essential resources.
211	As part of a new partnership model with Cladding Safety Victoria implement an expanded Combustible Cladding Rectification Project including an additional 69 buildings returned	Place and Environment	●	There are 32 buildings remain within Merri-bek City Council with active enforcement relating to combustible cladding, and 36 buildings formerly investigated by the Victorian Building Authority as part of the Statewide Combustible Cladding Audit have other outstanding fire safety-related compliance matters that now require resolution by Council. All cases are being actively managed.

Action Code	Action Name	Directorate	Status	Comments
	from the Victorian Building Authority to Council for resolution			
212	Progress a Planning Scheme amendment for an Activity Centre Zone for the Brunswick Activity Centre and commence a review of built form controls in the Brunswick Activity Centre	Place and Environment	●	The Brunswick Activity Centre's planning scheme amendment is progressing, specifically focusing on establishing an Activity Centre Zone. The Stage 2 heritage review is currently in progress as part of the overall built-form review, with additional background work to support this effort. The amendment is awaiting Ministerial authorisation, which is currently paused due to state planning reforms.
213	Finalise and implement a new Economic Development Action Plan to guide Council's economic development-related work over future years	Place and Environment	●	The implementation of the Economic Development Action Plan highlights has included progress on the following actions: -Action 2.1.1 Promote and tell stories about businesses in the Brunswick Design District - Action 3.2.2 Identified strategies and actions from Melbourne's North Investment Attraction Strategy to create a MeMerri-bek-focused work plan; - Action 4.1.1 Develop and deliver an annual program of business skill workshops (4 delivered from January to March; 10 years to date); - Action 4.2.1 Hold regular networking events (6 events held in from January to March, including an all-day RMIT University & health-bio-med-tech businesses reciprocal tour); - Action 5.5.2 Implement a shopfront improvement initiative to educate and upskill business owners (the Love Sydney Road Street Show ran on 1 April 2025); - Action 5.8.1 Promote trader and Council participation in local safety initiatives, including two meetings with Victoria Police and traders in Coburg Central and Glenroy Activity Centres; and - Action 7.5.1: Contribute to Council establishing its first Circular Economy Strategy (ongoing).
214	Implement a shopfront improvement initiative for Sydney Road to educate and upskill business owners on how to	Place and Environment	●	Officer finalised planning for the Love Sydney Road Street Show, which took place on 1 April 2025 - at Brunswick Town Hall. Over 55 business owners and operators attended and heard from a panel of three retail experts. However, some follow-up initiatives will take place in the near future to wrap up the event and reiterate the learnings shared with attendees and Sydney

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Action Code	Action Name	Directorate	Status	Comments
	improve the visual presentation of shopfronts and facades			Road traders. This initiative aimed to empower local business owners with the knowledge and skills necessary to elevate their shopfront aesthetics, contributing to a more vibrant and appealing streetscape.
215	Commence construction on the West Street streetscape renewal project	Place and Environment	●	<p>The project is still in detailed design and has a delayed design schedule due to flood modelling requirements and Melbourne Water approvals. Tender is now anticipated in May 2025, with construction expected to commence in the second half of 2025.</p> <p>Council endorsement is sought to place this action on hold due to external partnership delays. If the hold extends beyond the current financial year, this important, funded initiative may be considered for inclusion in the next Council Action Plan for adoption in the upcoming financial year.</p>
216	Progress construction of the Wheatshesf Road Glenroy streetscape improvement project	Place and Environment	●	<p>Works are still on hold pending final approvals from the Department of Transport and Planning. Conversations are ongoing to discuss the proposed alignment of the drainage infrastructure and underground services.</p> <p>Council endorsement is sought to place this action on hold due to external partnership delays. If the hold extends beyond the current financial year, this important, funded initiative may be considered for inclusion in the next Council Action Plan for adoption in the upcoming financial year.</p>
217	Progress construction of the Stewart Street Brunswick streetscape improvement project	Place and Environment	●	Construction is progressing well and is running to schedule.
218	Commence detailed design for Louisa Street Coburg Streetscape improvement project	Place and Environment	✓	Action completed in quarter one.
219	Complete construction for 260 Sydney Road Brunswick (Park Close To Home)	Place and Environment	✓	All works at the new park are now complete, with the stormwater connection works completed in March to finalise this project. The Michelle Guglielmo Park is open for all to enjoy, and event bookings are live.
220	Commence construction of York Street Pascoe Vale South (Park Close to Home)	City Infrastructure	●	Due to delays in procurement activities, contract award for the project is planned to occur in June 2025. The project is expected to commence construction in the second half of 2025.

Action Code	Action Name	Directorate	Status	Comments
221	Carry out research, technical studies, strategic planning, partnership building, engagement planning and affordable housing, to guide the future of central Coburg	Place and Environment		The central Coburg program is progressing with various technical studies, strategic planning and engagement planning. A Council resolution in March 2025 has provided direction to continue this work. A precinct scenario is expected to be presented to Council by June 2025.
222	Develop a funding and delivery strategy for a new library in central Coburg that includes a functional brief for future library services, potential co-located uses, adjacent open space and public realm, and captures these within an initial Concept Plan	Community		Council endorsed a vision and brief for a new Coburg Library and Piazza in February 2025. The endorsed brief includes a vision, objectives, a funding and delivery strategy, functional briefs, and proposed location (pending testing).

Theme 5: An empowered and collaborative Merri-bek

5: Build community trust through encouraging participation, evidence-based decision making, stewardship of resources and being accessible and responsive

Action Code	Action Name	Directorate	Status	Comments
115	Continue to deliver advocacy campaigns that support council priorities	Business Transformation		<p>Council continued regular meetings with local State and Federal Members of Parliament, with key advocacy topics including the Upfield Rail Line duplication, extension and electrification, Central Coburg Library redevelopment and new Piazza, aged care and the continuation of block funding.</p> <p>Council submitted to the Victorian Building Electrification Regulatory Impact Statement, supporting the efficient electrification of Victorian homes and businesses and urging the Victorian Government to implement the phase-out of gas in existing commercial properties and residential gas cooktops.</p> <p>Council also submitted to the Victorian Parliamentary Inquiry into the redevelopment of Melbourne's public housing towers, recommending that the tower's demolition program be halted and a transparent, evidence-based process be established to evaluate the best options for all older public housing assets.</p> <p>Council continued its collaborative work with advocacy partners such as the Northern Council Alliance, Melbourne 9 (M9), including leading the work on the transport strategic priority, Northern Alliance for Greenhouse Action, and Council Alliance for Sustainable Built Environments.</p>
156	Continue to support the CALD Merri-bek connectors community engagement program to improve access to information and services	Community		<p>Council continued to work with the Community Connectors on all engagement projects to engage with our multicultural communities. Work was also undertaken with our Conversations Merri-bek provider to optimise translations on the platform and make it more visible and user-friendly with a translation button for individual projects at the top of each project page.</p>

Action Code	Action Name	Directorate	Status	Comments
223	Commence planning scheme amendment for a new open space contribution	Place and Environment		Council resolved on 12 March 2025 to commence Planning Scheme Amendment C235mbek to implement a new open space contribution. The Amendment will be submitted to the Minister for Planning for authorisation.
224	Enhance customer experience and capacity	Community		CX online training 'Service with HEART' has been completed by 83% of staff in the organisation. The new tool to provide staff with greater visibility and accountability of customer requests is now available for staff with education sessions were held. Further work on improving information recording standards for customer notes has been included in the pending release of the updated Customer Request Management Standards Policy.

7.7 ADOPTION OF COUNCIL'S GOVERNANCE RULES - 2025

Director Business Transformation Sue Vujcevic

Governance and Strategy

Officer Recommendation

That Council:

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

REPORT

Executive Summary

Council at its meeting of 9 April 2025, endorsed the amended Governance Rules for community consultation and invited feedback from the community on the proposed amendments for a period of 15 days from 14 April 2025 until 28 April 2025.

At the close of the submission period, 7 submissions were received from 7 submitters. A summary including the submissions received (in full), together with the Council Officer responses is provided in Attachment 2.

Of the 7 submissions received, 2 were in support of the amendments and 3 objected to the amendments for reasons which included: We don't elect the CEO, they should not get the only say in what is urgent business; Too secretive; and in relation to Urgent Business, the intention of this rule change is to remove the power to make a decision on from elected Councillors, and give it to the CEO. 2 further submissions received related to not being able to identify the proposed amendments.

In response to the feedback received regarding the amendment of Governance Rule 3.5.6 Urgent Business, it should be noted that the intention of this rule is to enable the Chief Executive Officer to advise Council of potential matters of urgent business and to determine if any matters raised as potential urgent business items, can be addressed through the existing operational service request process, without requiring a Council resolution.

Any items referred to a Council meeting as urgent business, will still be required to be admitted as Urgent Business by a resolution of Council, before the item can be considered.

In response to the feedback that the proposed amendments are too secretive, it should be noted that the amendments as proposed, do not impact on Councils commitment to act in an open and transparent manner.

Following the review and consideration of the feedback received, this recommends adoption of amendments to the Governance Rules, as shown in Attachment 1.

Previous Council Decisions

Governance Rules Review – 2025 – 9 April 2025

That Council:

1. *Endorses the amended Governance Rules, provided as Attachment 1 to this report, for community consultation for a period of 15 days from 14 April 2025 and inviting feedback from the community to be received by 5pm, 28 April 2025, with the following change, without the inclusion of the proposed change related to section 3.9.14 – Notices of Motion (Page 37).*
2. *Receives a report at the May 2025 Council meeting to consider the amended Governance Rules.*

Adoption of Council's Governance Rules 2024 – 10 April 2024

That Council:

1. *Adopts the Governance Rules provided in Attachment 1 to this report.*
2. *Writes to all submitters who contributed feedback in the August 2023 and February 2024 community consultation processes, thanking them for their contribution and providing a copy of the outcome of Council's decision.*

Adoption of Council's Governance Rules 2023 – 14 February 2024

That Council:

1. *Endorses the additional amendments to the Governance Rules provided in Attachment 1 to this report, with the following amendments:*
 - a) *Amend 3.5.6 Urgent Business to read:*
 - (1) *If the Agenda for a Meeting makes provision for urgent business, business cannot be admitted as Urgent Business other than by resolution of Council and only then if the submitter provides a clear justification for how:*
 - a) *It relates to or arises out of a matter which has arisen since distribution of the Agenda; and*
 - b) *Deferring the item until the next Meeting will mean a decision on the item will not have any effect on the matter.*
 - (2) *The Chief Executive Officer, in consultation with the Mayor, may also bring to the attention of Councillors, an item of Urgent Business, that is urgent in nature, and that cannot be addressed through an operational service request process.*
 - b) *Amend 3.6.1 (9) Questions of Council and Community Statements to read:*

Prior to the hearing of Questions of Council and Community Statements, the Mayor will inform Councillors and the public of the total number of questions received for the Council meeting (including how many have been taken on notice).
 - c) *Amend 3.6.2 (2) (e) Questions of Council to read:*

A copy of all questions and community statements including those to be taken On Notice received before 5pm on the day of the Council Meeting, will be distributed to Councillors as soon as reasonably practicable.
 - d) *3.6.2 (8) Questions of Council to read:*

The Chairperson may elect to answer the question themselves or a Councillor may nominate themselves to answer each question. Prior to responding, the Chairperson may seek contextual information from the person submitting the question.
 - e) *Amend 3.4 Quorum to read:*
 - (2) *If, after 30 minutes from the scheduled starting time of any Meeting, a quorum cannot be obtained, the Chairperson, or if the Chairperson is not present, those Councillors present or, if there are no Councillors present, the Chief Executive Officer or, in the absence of the Chief Executive Officer, a Delegate, may reschedule the Meeting for a period not exceeding seven days from the original date of the meeting.*

- (3) *If during any meeting or any adjournment of the meeting, a quorum cannot be maintained, the Chairperson, or if the Chairperson is not present, those Councillors present or, if there are no Councillors present, the Chief Executive Officer or, in the absence of the Chief Executive Officer, a Delegate, may reschedule the Meeting to a date not exceeding seven days from the original date of the meeting.*
- f) *Amend section 3.9.15 (4) Notices of Rescission to read:
A notice of rescission must be in writing, signed (including by electronic means) and dated by at least two Councillors and be delivered to the Chief Executive Officer or a Delegate by 12 noon at least 10 business days prior to the next Council Meeting and must contain written rationale for the proposed rescission.*
2. *Invites community feedback on the additional amendments, for a period of 15 business days commencing 16 February 2024 until 5pm, 8 March 2024.*
3. *Receives a report at the 10 April 2024 Council meeting to consider the amended Governance Rules.*

Adoption of Council's Governance Rules 2023 – 8 November 2023

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.

Adoption of Council's Governance Rules 2023 – 18 October 2023

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

Governance Rules Review – 9 August 2023

That Council:

1. *Endorses the amended Governance Rules provided as Attachment 1 to this report, for community consultation for a period of 21 business days from 14 August 2023 and inviting feedback from the community to be received by 5pm, 11 September 2023, with the following amendments:*
 - a) *Rule 3.3.2 Special Meetings*
 - *Amend Rule 3.3.2 (2) (a) to read as: Specify the preferred date and time and the business to be transacted.*
 - *Amend Rule 3.3.2 (2) to remove point (c).*
 - b) *Rule 3.2.4 The Chairperson's Duties and Discretions*
Amend Rule 3.2.4 The Chairperson's Duties and Discretions, Point (8) to read as:
"Where the Governance Rules do not provide a procedure for the meeting, the Chairperson may determine the procedure to be followed in consultation with the Chief Executive Officer and relevant Governance officer."
 - c) *Rule 3.6.1 (2) Questions of Council and Community Statements*
Amend to read as: Unless Council resolves differently, there must be a time provided for questions of Council and Community Statements at every Council Meeting with the exception of ceremonial type meetings, meetings convened to consider confidential matters or meetings designated for Planning and Related Matters to enable members of the public to submit questions to Council.
 - d) *Receives a report at the October 2023 Council meeting to consider the amended Governance Rules.*

Governance Rules Review Process - 8 February 2023

That Council:

1. *Notes the recent reviews of the Governance Rules and options for additional reviews.*
2. *Determines that option 2 is its preferred course of action:
To review only the specific sections of the Governance Rules nominated by Councillors and officers, as requiring further clarity or benchmarking for best practice.*

Notice of Motion – Review of Governance Rules – 7 December 2022

That Council:

1. *Receives a report at the February 2023 Council meeting, outlining the processes and resourcing required to undertake a full review of Council's Governance Rules.*
2. *The scope of the review of the Governance Rules is to include:*
 - a) *undertaking a review against best practice in meeting procedure and a comparative benchmark with other metropolitan councils; and*
 - b) *outlining options for improving the Governance Rules which includes (but is not limited to):*
 - i) *enhancing community questions and submissions*
 - ii) *refining motions and debate*
 - iii) *clarifying conflicts of interest*
 - iv) *refining records of meetings held under auspices of Council being more inclusive; and*
 - v) *removing ambiguity in the interpretation and practical application of the Governance Rules.*

Adoption of Council's Governance Rules - 10 August 2022

That Council:

1. *Adopts the revised Governance Rules, which provide for attendance and participation in Council meetings and delegated committees by electronic means of communication, provided as Attachment 1.*
2. *Thanks all submitters who provided feedback, and writes to submitters who may have provided feedback outside of the proposed amendments, explaining the purpose and rationale for the limitation of proposed amendment changes, and providing a copy of the outcome of Council's decision (including a copy of responses as provided in Attachment 2).*

Adoption of Council's Governance Rules - 8 December 2021

That Council:

1. *Adopts the revised Governance Rules, provided as Attachment 1.*
2. *Writes to the individual submitter, 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).*

Implementation of Local Government Act 2020 - Governance Rules, Public Transparency Policy and Council Expenses Policy - for Adoption - 12 August 2020

1. *Adopts the Governance Rules at Attachment 1 to this report with the following amendment:*
 - *Modify sub-rule 3.3.4 (3) to read: An Agenda for an Ordinary Meeting held in accordance with the schedule of Council meetings prepared in accordance with sub-rule (1) will be made available on Council's website at least 6 days prior to the meeting.*
2. *Determines the commencement date for the Governance Rules to be 1 September 2020.*

...

1. Policy Context

Section 60 of the *Local Government Act 2020* (the Act) provides that a Council must develop, adopt and keep in force Governance Rules. In doing so, a Council may amend its Governance Rules subject to ensuring that a process of community engagement is followed in amending its Governance Rules.

2. Background

At its meeting held 9 April 2025, Council endorsed revised Governance Rules for community consultation. Due to the pending introduction of Model Governance Rules by Local Government Victoria, it was proposed that any amendments to the Governance Rules be limited to only minor matters such as those proposed below.

These amendments are shown below, with any removed text struck through, and any added text displayed in italics, to highlight the changes made. The amendments only relate to the provisions for Urgent Business and the keeping of minutes in relation to petitions:

Amendment to section 3.5.6 (1) & (2) – Urgent Business to read as:

- (1) If the Agenda for a Meeting makes provision for urgent business, business cannot be admitted as Urgent Business other than by resolution of Council and only then if ~~the submitter provides a clear justification of how:~~
 - (a) It relates to or arises out of a matter which has arisen since distribution of the Agenda; and
 - (b) Deferring the item until the next Meeting will mean a decision on the item will not have any effect on the matter; or
 - (c) *The item involves a matter of urgency as determined by the Chief Executive Officer; and*
 - (d) *It cannot be addressed through an operational service request process.*
- ~~(2) The Chief Executive Officer, in consultation with the Mayor, may also bring to the attention of Councillors, an item of Urgent Business, that is urgent in nature and that cannot be addressed through an operational service request process.~~
- (2) *In addition to the requirements in Sub-Rule (1), where Urgent Business is to be admitted to a Meeting Designated for Planning and Related Matters, the urgent business must relate to a planning matter.*

Amendment to section 3.11.1 (n) – Keeping of Minutes to read as:

- (n) details of any petitions made to Council, *including a full description of the request contained in the petition, if the petition has not already been published in a Council agenda;*

3. Issues

At the close of the submission period, 7 submissions were received from 7 submitters. A summary including the submissions received (in full), together with the Council Officer responses is provided in **Attachment 2**.

Of the 7 submissions received, 2 were in support of the amendments and 3 objected to the amendments and 2 further submissions received related to not being able to identify the proposed amendments.

Key comments outlined in the submissions received include:

- We don't elect the CEO, they should not get the only say in what is urgent business.

- In its current form I see nothing to be concerned as really this currently an internal matter and seems will work well.
- It seems fair me.
- I don't agree would be too secretive.
- I object to the change to rule 3.5.6 Urgent Business. The intention of this rule change is to remove the power to make a decision on from elected Councillors, and give it to the CEO.

In response to the feedback received regarding the amendment of Governance Rule 3.5.6 Urgent Business, it should be noted that the intention of this rule is to enable the Chief Executive Officer to advise Council of potential matters of urgent business and to determine if any matters raised as potential urgent business items, can be addressed through the existing operational service request process, without requiring a Council resolution.

Any items referred to a Council meeting as urgent business, will still be required to be admitted as Urgent Business by a resolution of Council, before the item can be considered.

In response to the feedback that the proposed amendments are too secretive, it should be noted that the amendments as proposed, do not impact on Councils commitment to act in an open and transparent manner.

After consideration of the feedback received by Council officers, this report does not propose any further amendments to the revised Governance Rules. Accordingly, the Governance Rules are presented for Council consideration as provided in **Attachment 1**.

Legal and risk considerations

The revised Governance Rules as presented in **Attachment 1** meet the requirements of *the Local Government Act 2020*.

Human Rights Consideration

There has been consideration in upholding human rights as required by the Charter of Human Rights and Responsibilities (Victoria) through this review of the Governance Rules. In particular, the right to freedom of expression (section 15) providing that people are free to say what they think and want to say.

4. Community consultation and engagement

In preparation of the revised Governance Rules, consultation with Councillors was undertaken in March 2025.

The revised Governance Rules were made available on the Conversations Merri-bek website from 14 April 2025, inviting written submissions from the community to be received by 28 April 2025.

Affected persons rights and interests

Prior to making a decision that affects a person's rights, Council must identify whose rights may be directly affected and provide an opportunity for that person (or persons) to convey their views regarding the effect on their rights, and for those expressed views to then be considered. The provisions as outlined in the Governance Rules relating to affected persons have not been amended as part of this review. As outlined in the abovementioned consultation and engagement process, persons were invited to contribute to the review of the Governance Rules in line with Council's Community Engagement and Public Participation Policy.

Communications

The adopted Governance Rules will be published on Council's website, subject to Council's decision.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The resources required to consult and prepare the revised Governance Rules were met within existing resource allocations.

7. Implementation

Subject to Council's decision, the adopted Governance Rules will be published on Council's website.

Attachment/s

- | | | |
|----------|--|------------|
| 1 | Governance Rules - Proposed - May 2025 | D25/220414 |
| 2 | Governance Rules Review - 2025 Submissions and Responses Table | D25/220183 |



Governance Rules

May 2025

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COMMITMENT

Good governance, integrity and accountability are central to the Local Government Act 2020 ("the Act"), to underpin local government democracy, accountability, conduct and enable our community to hold the Council to account. Council is committed to embedding the principles of good governance throughout its decision making, corporate governance and democratic governance by establishing and adhering to the Governance Rules established.

The principles of good governance incorporate the principles outlined in the Act, including the overarching governance principles as well as the public transparency, community engagement, strategic planning, service performance and financial management principles.

Council decision making will be founded on good governance and conducted with transparency. The process by which decisions will be made is transparent and clearly articulated in these Governance Rules for the scrutiny of our community and accountability of Councillors and Council officers. Council recognises that accountability, integrity and transparency are of fundamental importance to our community and are critical for enhancing good governance.

Council seeks to apply good governance in order to:

- Engage our community in decision making;
- Achieve the best outcomes for the Merri-bek community, including future generations;
- Ensure the transparency of Council decisions, actions and information;
- Ensure the ongoing financial viability of Council;
- Increase our performance;
- Drive out inefficiencies; and
- Reassure residents that we are spending public monies wisely.

CHAPTER 1 - INTRODUCTION

1.1 Purpose

These Governance Rules determine the way in which Council will:

- a) Make decisions:
 - in the best interest of the Merri-bek community;
 - fairly and on the merits of the question;
 - in a way that ensures any person whose rights will be directly affected by a decision will be entitled to communicate their views and have their interests considered;
- b) Elect its Mayor and Deputy Mayor;
- c) Conduct Meetings of Council and Delegated Committees;
- d) Give notice of Meetings and record and make available Meeting records (Minutes and livestreamed Meetings);
- e) Be informed in its decision making through community engagement, Advisory Committees, Councillor areas of responsibility and Council officer reports;
- f) Require the disclosure and management of conflicts of interest.

The Governance Rules also include:

- Rules for the conduct of Council and Councillors during Election Periods, through the Election Period Policy;
- An overview of alignment of the Governance Rules within Council's democratic and corporate governance; and
- Provisions for use of the Common Seal.

1.2 Principles

Council must, in the performance of its role, give effect to the overarching governance principles outlined in the Act. These principles are:

- a) Council decisions are to be made and actions taken in accordance with the relevant law;
- b) Priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- c) The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- d) The municipal community is to be engaged in strategic planning and strategic decision making;
- e) Innovation and continuous improvement are to be pursued;
- f) Collaboration with other Councils and Governments and statutory bodies is to be sought;

- g) The ongoing financial viability of the Council is to be ensured;
- h) Regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
- i) The transparency of Council decisions, actions and information is to be ensured.

In giving effect to the overarching governance principles, Council must take into account the following supporting principles —

- a) the community engagement principles;
- b) the public transparency principles;
- c) the strategic planning principles;
- d) the financial management principles;
- e) the service performance principles.

CHAPTER 2 - CONTEXT

2.1 Affected Persons Rights and Interests¹

In any matter in which a decision must be made by Council (including persons acting with the delegated authority of Council), Council must consider the matter and make a decision:

- a) fairly, by giving consideration and making a decision which is balanced, ethical and impartial; and
- b) on the merits, free from favouritism or self-interest and without regard to irrelevant considerations.

Council must, when making any decision to which the principles of natural justice apply, adhere to the principles of natural justice (including, without limitation, ensuring that any person whose rights will be directly affected by a decision of Council is entitled to communicate their views and have their interests considered).

Before making a decision that affects a person's rights, Council (including persons acting with the delegated authority of Council) will identify whose rights may be directly affected and provide an opportunity for that person (or persons) to convey those views regarding the effect on their rights and consider those views.

This includes but is not limited to the rights outlined in the Charter of Human Rights and Responsibilities Act 2006 and Council's Human Rights Policy.

The opportunity provided for a person whose rights have been affected to contribute their views will be documented in any relevant report put before the Council or Delegated Committee.

A Council officer making a decision under delegation that affects the rights of a person will record in writing the opportunity provided to the person to have their views considered.

¹ Section 60(2) Local Government Act 2020

2.2 Merri-bek’s Governance Setting



2.3 Context

The Governance Rules are to be read in the context of and in conjunction with:

- Community Engagement Policy
- Public Transparency Policy;
- Good Governance Framework;
- Conflicts of Interest Guidance as issued by Local Government Victoria; Councillor Code of Conduct;
- Employee Code of Conduct;
- Other relevant policies.

Each numbered section or sub-section is a Rule or Sub-Rule.

2.4 Definitions

(1) In these Governance Rules:

Act means the Local Government Act 2020;

Absolute Majority means the number of Councillors which is greater than half the total number of the Councillors of a Council. In the case of a Delegated Committee an Absolute Majority is the number of members which is greater than half the number members appointed to the Delegated Committee.

Advisory committee means a committee established by the Council, that provides advice to:

- (a) the Council; or
- (b) a Delegated Committee; or
- (c) a member of Council staff who has been delegated a power, duty or function of the Council;

that is not a Delegated Committee.

Agenda means a document containing the date, time and place of a Meeting and a list of business to be transacted at the Meeting.

Agreement of Council means indicative agreement of all Councillors present, without a vote being conducted. In the event there is any uncertainty about majority of Councillors agreeing, the matter may be put to a vote.

Authorised Officer has the same meaning as in the Act.

Chairperson means the Chairperson of a Meeting and includes an acting, temporary and substitute Chairperson.

Council Chamber means any room where the Council holds a Council Meeting.

Chief Executive Officer means the person occupying the office of Chief Executive Officer of Council, and includes a person acting in that office.

Common Seal means the common seal of Council.

Council means Merri-bek City Council.

Councillor means a Councillor of Council.

Council Meeting means a Meeting of the Council convened in accordance with these Governance Rules and includes scheduled and unscheduled meetings (unscheduled meetings known as Special meetings as per definition below) and meetings designated for Planning and Related Matters, whether held face to face (in person) attendance in a set location or via electronic means (virtual) or in a hybrid format that includes both in person and electronic attendance.

Council staff means a person who is appointed (other than an independent contractor under a contract for services or a volunteer) to enable the functions of the Council to be carried out.

Delegate means a member of Council staff to whom powers, functions and duties have been delegated by an instrument of delegation from the Chief Executive Officer.

Delegated Committee means a Committee established by Council to which powers, duties or functions have been delegated in accordance with section 11 of the Act.

Deputy Mayor means the Deputy Mayor of Council and any person appointed by Council to act as Deputy Mayor.

Director means a senior member of Council staff holding the position of Director or another position (however designated) which reports directly to the Chief Executive Officer.

Disorder means any disorderly conduct of a member of the Gallery or a Councillor and includes:

- interjecting when another person is speaking, except, in the case of a Councillor, to raise a Point of Order;
- making comments that are defamatory, malicious, abusive or offensive;
- refusing to leave the Meeting when requested, ordered or directed to do so by the Chairperson in accordance with these Governance Rules; and
- engaging in any other conduct which prevents the orderly conduct of the Meeting.

Foreshadowed Item means a matter raised in the relevant section of the Council Meeting that a Councillor intends to submit a Notice of Motion for the next Council Meeting.

Majority of the Votes means a majority of Councillors present at the time of a vote voting in favour of a matter.

Mayor means the Mayor of Council and any person appointed by Council to be acting as Mayor, including a Deputy Mayor, if the Mayor is not available.

Meeting means Council Meeting as described above

Meeting Designated for Planning and Related Matters means a Council Meeting that is held only for the consideration of planning and related matters.

Minister means the Minister administering the Act.

Minutes means the official record of the proceedings and decisions of a Meeting.

Motion means a proposal framed in a way that will result in the opinion of Council being expressed, and a Council decision being made, if the proposal is adopted.

Notice of Motion means a notice setting out the text of a Motion which a Councillor proposes to move at a Council Meeting.

On Notice means held or deferred to enable preparation of a response.

Point of Order means a procedural point (about how the Meeting is being conducted), not involving the substance of a matter before a Meeting.

Procedural Motion means a Motion that relates to a procedural matter only and which is not designed to produce any substantive decision but used merely as a formal procedural measure.

Rule or Sub-Rule means a Rule or Sub-Rule included in these Governance Rules.

Second vote means a vote cast by the Chairperson when there has been an equality of votes cast for and against a matter (also known as a casting vote). A Councillor who does not vote will be taken to have voted against the question;

Special Meeting means an unscheduled Meeting of the Council to consider a matter that cannot be effectively dealt with in the schedule of Council Meetings and/or is convened for a particular purpose such as the Election of Mayor and Deputy Mayor.

these Rules means these Governance Rules.

(2) Definitions provided by the Act

The following definitions provided by the Act are applied to these Governance Rules:

Confidential Information means the Confidential Information established under section 3(1) of the Act, and means

- (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
- (b) security information, being information that if released is likely to endanger the security of Council property or the safety of any person;
- (c) land use planning information, being information that if prematurely released is likely to encourage speculation in land values;
- (d) law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person;
- (e) legal privileged information, being information to which legal professional privilege or client legal privilege applies;
- (f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;
- (g) private commercial information, being information provided by a business, commercial or financial undertaking that:
 - i) relates to trade secrets; or
 - ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;
- (h) confidential Meeting information, being the records of Meetings closed to the public under section 66(2)(a);
- (i) internal arbitration information, being information specified in section 145;
- (j) Councillor Conduct Panel confidential information, being information specified in section 169;
- (k) information prescribed by the regulations to be confidential information for the purposes of this definition;
- (l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989;

Electoral Material means an advertisement, handbill, pamphlet or notice that contains Electoral Matter but does not include an advertisement in a newspaper that is only announcing the holding of a Meeting.

Electoral Matter means matter which is intended or likely to affect voting in an election but does not include any Electoral Material produced by or on behalf of the election manager for the purposes of conducting an election.

Nomination Day means the last day on which nominations to be a candidate at a Council election may be received in accordance with the Act and the regulations.

CHAPTER 3 – MEETING PROCEDURE

The way in which Council and Delegated Committee Meetings are conducted makes a significant contribution to good governance. The Chairperson plays a crucial role in facilitating an orderly, respectful, transparent and constructive Meeting by ensuring all Councillors and members of Delegated Committees have the opportunity to be heard, matters are adequately discussed, Meeting procedures are followed appropriately, and statutory requirements are adhered to.

The Chairperson is an independent leader of Meetings and generally does not participate in debate or move or second Motions.

The Act provides for the Mayor to appoint a Councillor as the Chair of a Delegated Committee and any such appointment prevails over any appointment made by the Council. While there are no limitations on exercising that power, the Mayor must always act in a way that is consistent with the adopted Councillor Code of Conduct and transparency commitments of the Council.

Each member of the Meeting has an obligation to participate in good decision-making through their preparation and contribution to the Meeting.

Specific duties and discretions of the Chairperson are outlined throughout these Governance Rules.

3.1 Purpose of Council Meetings

- (1) Council holds Council Meetings and, when required, Special Meetings to conduct the business of Council.
- (2) Council is committed to transparency in decision making and, in accordance with the Act, Council and Delegated Committee Meetings are open to the public and the community are able to attend. Meetings will only be closed to members of the public if:
 - (a) the Meeting is to consider confidential information; or
 - (b) a Meeting is required to be closed for security reasons; or
 - (c) it is necessary to enable the Meeting to proceed in an orderly manner.
- (3) If a Meeting is closed to the public for the reasons outlined in Sub-Rule 2(b) or 2(c), the Meeting will continue to be livestreamed. In the event a livestream is not available, the Meeting will be adjourned.
- (4) For the avoidance of doubt, if a Meeting is open to the public and the livestream is not available, a Meeting that has not commenced will proceed as scheduled and a Meeting that has commenced will continue.

3.2 Meeting Roles

3.2.1 Chairperson and Members

- (1) The Chairperson, Councillors and members of Delegated Committees will ensure good decision-making by endeavouring to ensure:
 - (a) Decision making is transparent to members and observers;
 - (b) Meeting members have sufficient information to make good decisions;
 - (c) Every member is supported to contribute to decisions;
 - (d) Any person whose rights are affected has their interests considered;
 - (e) Debate and discussion is focussed on the issues at hand;
 - (f) Meetings are conducted in an orderly manner.

3.2.2 Mayor to take the Chair

- (1) The Mayor must take the Chair at all Council Meetings at which the Mayor is present.
- (2) If the Mayor is not in attendance at a Council Meeting, the Deputy Mayor (if one has been elected) must take the Chair.
- (3) If the Mayor and any Deputy Mayor are not in attendance at a Council Meeting, Council must appoint one of the Councillors as a temporary Chairperson.

3.2.3 Delegated Committee Chairperson

- (1) At the Meeting at which Council appoints the members of a Delegated Committee it must also appoint a Chairperson. If Council is appointing a single member as a result of a vacancy, or additional members, there is no change to the appointed Chairperson unless resolved by Council.
- (2) For the avoidance of doubt, Sub-Rule (1) does not intend to limit the powers of the Mayor provided in the Act.

3.2.4 The Chairperson's Duties and Discretions

In addition to the specific duties and discretions provided in these Governance Rules, the Chairperson:

- (1) must not accept any Motion, question or statement which is:
 - (a) vague or ambiguous;
 - (b) defamatory, malicious, abusive or objectionable in language or substance; or
 - (c) outside the powers of Council;
- (2) must allow the Chief Executive Officer the opportunity to correct factual errors or incorrect assertions that arise during the Meeting.
- (3) must call a person to order if their behaviour is disruptive and interferes with the conduct of the business of Council.
- (4) may direct that a vote be recounted to be certain of the result.

- (5) must decide on all points of order in accordance with Rule 3.10 and
- (6) May adjourn a Disorderly Meeting.
- (7) Subject to Rule 3.1 (2), the Chairperson may determine to close a Meeting to the public to maintain security and order, if the circumstances prevent seeking a Council resolution in accordance with Rule 3.13.
- (8) Where the Governance Rules do not provide a procedure for the meeting, the Chairperson may determine the procedure to be followed in consultation with the Chief Executive Officer and relevant Governance officer.

3.2.5 Chief Executive Officer

- (1) The Chief Executive Officer, or delegate, may participate in the Meeting to provide support to the Chairperson and advice to the Meeting.
- (2) The Chief Executive Officer:
 - (a) Must immediately advise if a proposed resolution or action is, to their knowledge, contrary to legislation or Council Policy;
 - (b) May advise if there are administrative or operational implications arising from a proposed resolution;
 - (c) May assist to clarify the intent of any unclear Motion to facilitate implementation of a resolution;
 - (d) On request, assist with procedural issues that may arise.

3.2.6 Councillors and members of Delegated Committees

Councillors and members of Delegated Committees contribute to good governance and decision making by:

- (1) Seeking views of community members and reading Agenda papers prior to the Meeting.
- (2) Demonstrating due respect and consideration to community views and the professional / expert advice provided in the Agenda papers.
- (3) Attending Meetings and participating in debate and discussion.
- (4) Demonstrating respect for the role of the Chairperson and the rights of other Councillors or members of Delegated Committees to contribute to the decision-making.
- (5) Being courteous and orderly.

3.2.7 Community

- (1) Council Meetings are decision making forums for the Council that are open to the community to attend and/or view proceedings.
- (2) Community members may only participate in Council Meetings in accordance with Rule 3.6.
- (3) Community members are encouraged to participate in Council's engagement processes.

- (4) Community members may seek to inform individual Councillors of their views by contacting them directly in advance of Meetings.

3.2.8 Apologies and absences

- (1) Councillors and members of Delegated Committees who are unable to attend a Meeting may submit an apology:
- (a) In writing to the Chairperson, who will advise the Meeting; or
 - (b) By seeking another Councillor or member of the Delegated Committee to submit it at the Meeting on their behalf.
- (2) An apology submitted to a Meeting will be recorded in the Minutes.
- (3) A Councillor intending to take a leave of absence must submit it in writing to the Mayor.
- (4) The Mayor will seek to have any leave of absence request received included in the Agenda of the next Council Meeting.
- (5) A leave of absence not included in a Council Meeting Agenda may still be considered by Council if a written request has been received by the Mayor prior to the Meeting.
- (6) Council will not unreasonably withhold its approval of a leave of absence request.
- (7) A Councillor who has not submitted an apology or had a leave of absence approved who is not in attendance at a Council or Delegated Committee Meeting will be recorded as absent.²
- (8) For the benefit of clarity, should unplanned leave of absence occur (between two Council meetings), Council will receive the request at the next possible Council meeting for approval, providing Sub-Rule (5) is met.

3.2.9 Attendance at meetings by electronic means

- (1) Councillors and members of Delegated Committees who wish to attend a meeting via electronic means must submit a written request to the Mayor (or Chairperson), no later than 30 minutes prior to the commencement of the meeting.
- (2) The Mayor (or Chairperson), must grant any reasonable request from a Councillor or member to attend a meeting by electronic means.
- (3) At the commencement of each meeting, the Mayor (or Chairperson), will advise the meeting of any Councillors or members that have been granted approval to attend the meeting by electronic means.
- (4) It will remain the responsibility of the Councillor or member attending electronically to ensure that they have the required access and environment suitable for electronic communications. This includes ensuring that they are in a private and secure place when attending a Confidential meeting.

² **Section 35 (1) (e) of the Act** provides a Councillor ceases to hold office if they are absent from Council Meetings for a period of 4 consecutive months without leave obtained from the Council.

- (5) A Councillor or member that has not sought approval to attend a meeting by electronic means in accordance with 3.2.9(1), and cannot attend the meeting in person, will be recorded as absent.

3.3 Notice of Meetings and availability of Agenda

3.3.1 Date, time and place of Council Meetings

- (1) At or before the last Meeting each year, Council must fix the date, time and place of all Council Meetings and any Delegated Committee Meetings for the following calendar year.
- (2) Council may resolve a Delegated Committee will set its own schedule of Meetings.
- (3) When setting the dates of Council Meetings, Council may set Meetings Designated for Planning and Related Matters.
- (4) Council by resolution, or the Chief Executive Officer, may change the date, time and place of, or cancel, any Council Meeting which has been fixed, or schedule an additional Council Meeting and must provide notice of the change to the public.

3.3.2 Special Meetings

- (1) Council may by resolution call a Special Meeting. Any resolution of Council to call a Special Meeting must specify the date and time of the Special Meeting and the business to be transacted. The date and time of the Special Meeting must not be prior to 6pm on the day following the Council Meeting at which the resolution was made.
- (2) The Mayor, or at least three Councillors may by written notice to the Chief Executive Officer call a Special Meeting. A written notice to call a Special Meeting must:
 - (a) Specify the preferred date and time and the business to be transacted;
 - (b) be delivered to the Chief Executive Officer or Delegate in sufficient time to enable notice to be given in accordance with Sub-Rule 3.3.4.
- (3) The Chief Executive Officer, following consultation with the Mayor, may call a Special Meeting.
- (4) In the event a Special Meeting is to be called pursuant to Sub-Rule (2) and (3), the Chief Executive Officer must determine the time and date for the Special Meeting giving consideration to:
 - (a) the urgency of the business to be transacted;
 - (b) the availability of Councillors; and
 - (c) a reasonable notice period for persons whose rights or interests may be impacted by the business to be transacted
- (5) The Chief Executive Officer must arrange for notice of the Meeting on Council's website, and other mediums that will maximise the opportunity for the community to be notified in accordance with Sub-Rule 3.3.4.
- (6) The Chief Executive Officer must call a Special Meeting to elect a Mayor following a Council election declaration, in accordance with the Act.

- (7) The Special Council Meeting for the election of a Mayor following an election may also consider the role of Deputy Mayor and any other matters as determined by the Chief Executive Officer.
- (8) Only the business specified in the Council resolution, or written notice, may be considered at a Special Meeting, unless by unanimous resolution determines to admit another matter.

3.3.3 Call of the Council

- (1) If a quorum cannot be achieved or maintained repeatedly (3 or more times) due to the absence of Councillors, the Chief Executive Officer may require all Councillors to attend a Call of the Council Meeting.
- (2) Notice of the Meeting must be given in accordance with Sub-Rule 3.3.4(2).
- (3) The Agenda for a Call of the Council Meeting must only contain matters that have been unable to be transacted because a quorum has not been achieved or maintained.
- (4) If a Councillor does not attend within 30 minutes after the time fixed for a call of the Council Meeting, or remain at the Meeting for the business to be conducted, the Chief Executive Officer must, following the Meeting, seek a reason in writing from the Councillor(s) not in attendance.
- (5) If, after considering the reason provided by the Councillor for the absence in accordance with Sub-Rule (4), the Chief Executive Officer, in consultation with the Mayor, or Deputy Mayor if the reason has been provided by the Mayor, does not consider the Councillor has provided a reasonable excuse for not attending, the Chief Executive Officer must recommend to the Council to make an application for an internal arbitration process in accordance with section 143 of the Act³.

3.3.4 Notice of Meetings

- (1) A schedule of Council Meetings must be prepared and published on Council's website and in ways that ensures it is available to a broad section of the community at least once each year and with such greater frequency as the Chief Executive Officer determines. The schedule of Council Meetings must also be available from Council's Customer Service Centres.
- (2) A notice of a Meeting, that is not a Special Meeting, incorporating or accompanied by an Agenda of the business to be dealt with, must be sent electronically to every Councillor for all Council Meetings, at least six days before the Meeting. A period of less than six days may be justified if exceptional circumstances exist. If exceptional circumstances exist as to why a notice of the meeting cannot be given

³ **Section 143 of the Act provides:** Application for an internal arbitration process

(1) An arbiter may hear an application that alleges misconduct by a Councillor.

(2) An application for an internal arbitration process to make a finding of misconduct against a Councillor may be made by—

(a) the Council following a resolution of the Council; or

(b) a Councillor or a group of Councillors.

- in accordance with this rule, the exceptional circumstances must be set out/explained in the agenda.
- (3) An Agenda for a Council Meeting held in accordance with the schedule of Council Meetings prepared in accordance with Sub-Rule (1) will be made available on Council's website at least 6 days prior to the Meeting, or at the same time that the agenda is made available to Councillors, whichever comes sooner.
 - (4) An Agenda for a Special Meeting must be made available electronically to every Councillor at least 48 hours before the Meeting. A period of less than 48 hours may be justified if exceptional circumstances exist.
 - (5) An Agenda for a Special Meeting will be made available on Council's website no less than 24 hours before the Council Meeting.
 - (6) The extraordinary circumstances that mean Council is unable to give the notice described in this Rule must be recorded in the Minutes of the relevant Special Meeting.
 - (7) Notice of a Special Meeting must be published on Council's website and in ways that will be available to a broad section of the community as soon as practicable after the time and date of the Meeting has been determined.
 - (8) If a Special Meeting is called to consider a matter that directly affects the rights of any person(s), every endeavour must be made to notify that person(s).

3.4 Quorum

- (1) Meetings must commence within 30 minutes of the scheduled starting time. A Councillor or member attending a meeting by electronic means of communication with the approval of the Mayor (or Chairperson), is deemed present for the purposes of a quorum.
- (2) If, after 30 minutes from the scheduled starting time of any Meeting, a quorum cannot be obtained, the Chairperson, or if the Chairperson is not present, those Councillors present or, if there are no Councillors present, the Chief Executive Officer or, in the absence of the Chief Executive Officer, a Delegate, may reschedule the Meeting for a period not exceeding seven days from the original date of the meeting.
- (3) If, during any Meeting or any adjournment of the Meeting, a quorum cannot be maintained, the Chairperson, or if the Chairperson is not present, those Councillors present or, if there are no Councillors present, the Chief Executive Officer or, in the absence of the Chief Executive Officer, a Delegate, may reschedule the Meeting to a date not exceeding seven days from the original date of the meeting.
- (4) The Chairperson may defer an item of business in respect of which there is, or is likely to be, a disclosure of a conflict of interest by one or more Councillors that will cause a quorum to be lost and direct the Chief Executive Officer to include that item of business on an Agenda for a future Council Meeting.
- (5) If a quorum cannot be achieved or maintained due to the declaration of conflicts of interests by the majority of Councillors, Council will:

- (a) Determine the matter will be considered in separate parts, if a quorum can be maintained for each separate part; or
 - (b) Determine to make decisions on separate parts of the matter at a Meeting where quorum can be maintained, before making a decision on the whole matter.
- (6) If a quorum cannot be achieved or maintained due to the declaration of conflicts of interests by the majority of Councillors, and the matter cannot be separated into component parts or prior decisions made, Council will delegate the decision to be made:
- (a) By the Chief Executive Officer; or
 - (b) By a Delegated Committee, established for the purpose of determining the matter, comprised of all the Councillors who have not disclosed a conflict of interest and any other person(s) the Council considers suitable.
- (7) A decision made under delegation due to Council not being able to achieve or maintain a quorum will be reported to the next Council Meeting.

3.4.1 Notice of adjourned Council Meeting

- (1) The Chief Executive Officer must provide written notice, including by electronic means, to each Councillor of any Council Meeting adjourned to another date or time.
- (2) Where it is not practicable because time does not permit notice in accordance with Sub-Rule (1) to occur, then, provided every reasonable attempt is made to contact each Councillor either verbally, or by some other means, it will be sufficient.
- (3) Notice of an adjournment to another date or time must be published on Council's website as soon as practical.

Quorum Calculation

Section 61(4) of the Act provides that a quorum at a Meeting must be at least a majority of the Councillors or members of the Delegated Committee.

Number of Councillors/Committee Members	Number required for Quorum
11	6
10	6
9	5
8	5
7	4

3.5 Business of Meetings

The business to be transacted at a Council Meeting is contained in the Agenda provided to Councillors and available to the public on Council's website. The Chief Executive Officer oversees preparation of the Agenda and determines the content and order of business to facilitate open, efficient and effective processes of government. The role of the Mayor includes providing advice to the Chief Executive Officer when the Chief Executive Officer is setting the

Agenda for Council Meetings. Council can admit an item of urgent business if it has arisen after distribution of the Agenda and cannot be reasonably deferred to the next Meeting.

3.5.1 Business at Meetings

- (1) The Chief Executive Officer may include any matter on the Agenda for a Council Meeting which he or she thinks should be considered at the Meeting to which the Agenda relates.
- (2) No business can be dealt with at a Council Meeting unless it is:
 - (a) Contained on the Agenda; or
 - (b) Admitted as Urgent Business in accordance with Sub-Rule 3.5.6

3.5.2 Order of business for Council Meetings

The order of business must be determined by the Chief Executive Officer to facilitate and maintain open, efficient and effective processes of government. Generally, the order of business of any scheduled Council Meeting will be as follows:

- (a) Welcome;
- (b) Apologies/Leaves of Absence;
- (c) Disclosures of conflicts of interest; (Rule 5.3)
- (d) Confirmation of Minutes of previous Meetings; (Rule 3.11.3)
- (e) Acknowledgements and Other Matters (Rule 3.5.5)
- (f) Petitions; (Rule 3.6.5)
- (g) Public question time; (Rule 3.6.2)
- (h) Council reports;
- (i) Notices of Motion; (Rule 3.9.14)
- (j) Notices of rescission; (Rule 3.9.15)
- (k) Foreshadowed Items;
- (l) Urgent business; (Rule 3.5.6);
- (m) Confidential business.

3.5.3 Order of business for Meetings Designated for Planning and Related Matters

The order of business of any Meeting Designated for Planning and Related Matters will be as follows:

- (a) Welcome;
- (b) Apologies;
- (c) Disclosures of conflicts of interest; (Rule 5.3)
- (d) Confirmation of Minutes of previous Meetings; (Sub-Rule 3.11.3)
- (e) Council reports;
- (f) Urgent business (Rule 3.5.6);
- (g) Confidential business.

3.5.4 Change to order of business

- (1) Once an Agenda has been sent to Councillors, the order of business for that Meeting may be altered with the Agreement of Council.
- (2) If the Agreement of Council is not achieved, the order of business may be altered by a resolution of Council.
- (3) The Chief Executive Officer, following consultation with the Mayor, may withdraw a report included in the Agenda, if special circumstance exist that mean Council consideration of the report would not be appropriate.

3.5.5 Acknowledgements and Other Matters

- (1) At each Council Meeting of Council provision of 10 minutes has been made in the Agenda for the Mayor and Councillors to:
 - a) Acknowledge and recognise achievements of local individuals and organisations; and
 - b) Raise matters considered important to Council.
- (2) For the purposes of raising matters as outline in Sub-Rules (1) (a) and (b), the nature of these matters should not be the subject of an item already listed in the Council agenda, does not require a decision of Council or cannot address matters where internal mechanisms already exist (i.e. raising matters to address customer requests).
- (3) The Chairperson will manage the time commitment across Councillors indicating their intent to speak.
- (4) Where an item is requiring a decision of Council, these matters must be raised in accordance with the provisions as outlined in Urgent Business (3.5.6), Notices of Motion (3.9.14) or Foreshadowed Items (3.9.17).

3.5.6 Urgent Business

- (1) If the Agenda for a Meeting makes provision for urgent business, business cannot be admitted as Urgent Business other than by resolution of Council and only then if:
 - (a) It relates to or arises out of a matter which has arisen since distribution of the Agenda; and
 - (b) Deferring the item until the next Meeting will mean a decision on the item will not have any effect on the matter; or
 - (c) The item involves a matter of urgency as determined by the Chief Executive Officer; and
 - (d) It cannot be addressed through an operational service request process; and
- (2) In addition to the requirements in Sub-Rule (1), where Urgent Business is to be admitted to a Meeting Designated for Planning and Related Matters, the urgent business must relate to a planning matter.

- (3) A Councillor proposing a matter be admitted as urgent business must lodge it in writing to the Chief Executive Officer no later than 3 pm on the day of the Meeting.
- (4) The Chief Executive Officer will advise the Mayor of any matter he or she determines appropriate for Council to consider admitting as urgent business.
- (5) The consideration of Urgent Business is a two-step process as follows:
 - (a) At the point in the agenda when Urgent Business is listed, the Chairperson will seek any items of Urgent Business.
 - (i) The Councillor proposing an item of Urgent Business is to briefly describe the nature of the matter (at this point the Council is not moving a motion) and seek that the item to be accepted as urgent business.
 - (ii) The Chairperson will seek a mover and seconder to accept the item as Urgent Business.
 - (b) A motion may then be moved and seconded in accordance with Rule 3.9 – Motions and debate.

3.5.7 Time Limits for Meetings

- (1) A Meeting must not continue after three hours from the time it commences unless a majority of Councillors present vote in favour of its extension in accordance with this Rule.
- (2) Extensions of a Meeting will be in block periods of 30 minutes.
- (3) After the initial 30 minute extension the Meeting must not continue unless a majority of Councillors present vote in favour of a further extension.
- (4) A Meeting may only be continued for a maximum of two 30 minute extensions.
- (5) In the absence of such extensions as provided for in Sub-Rules (1), (2) and (3), or in the event there is further business to be transacted at the completion of two extensions, the Meeting must stand adjourned to 6 pm on the following day. In that event, the provisions of Sub-Rule 3.4.1.
- (6) Notwithstanding Sub-Rule (5), the Chairperson may seek the Agreement of Council not to adjourn the Meeting to the following day, if the Chairperson reasonably believes the remaining business will take less than 10 minutes to transact.

3.5.8 Chairperson may temporarily adjourn a Meeting exceeding two hours

- (1) The Chairperson may adjourn a Meeting for a 10 minute break, at an appropriate point in proceedings after two hours has elapsed.
- (2) Notwithstanding Sub-Rule (1), the Chairperson may seek the Agreement of Council not to adjourn the Meeting if the Chairperson reasonably believes the remaining business of the Meeting will take less than 30 minutes to transact.

3.6 Community Questions and Submissions

3.6.1 Questions of Council and Community Statements

- (1) Members of the public may only address a Council Meeting in accordance with the provisions of these Governance Rules.
- (2) Unless Council resolves differently, there must be a time provided for questions of Council and Community Statements at every scheduled Council Meeting not designated for Planning and Related Matters to enable members of the public to submit questions to Council.
- (3) Sub-Rule (2) does not apply during any period when a Meeting is closed to members of the public in accordance with section 66(2) of the Act.
- (4) There will be no Questions of Council and Community Statements during a local government election period.
- (5) The time provided for questions of Council and community statements will not exceed 30 minutes in duration, unless by resolution of Council, in which case, the time may be extended for one period of up to 30 minutes.
- (6) Priority will be given to questions and statements that relate to matters listed in the Agenda. If time allows, questions about items other than those listed on the Agenda will be considered.
- (7) A maximum of two questions or statements, in any combination, is allowed per person. If a person has submitted two questions or statements, the second or statement question may, at the discretion of the Chairperson:
 - (a) be deferred until all other persons who have submitted questions have asked their first question; and/or
 - (b) not be asked or permitted if the time allotted for public question time has expired.
- (8) A person submitting two questions or statements, in any combination, may identify the priority order of the questions or statements.
- (9) Prior to the hearing of Questions of Council and Community Statements, the Mayor will inform Councillors and the public of the total number of questions received for the Council meeting (including how many have been taken on notice).

3.6.2 Questions of Council

- (1) Persons wishing to ask a question will be encouraged to submit their question on the Questions of Council form available on Council's website by 12 noon on the day of the Council Meeting.
- (2) Questions can be submitted by:
 - (a) The online form at www.Merri-bek.vic.gov.au
 - (b) Email to: governance@Merri-bek.vic.gov.au; or
 - (c) Mail to: Locked Bag 10, Merri-bek Vic. 3058; or
 - (d) In person at the Coburg Civic Centre Customer Service Centre at 90 Bell Street Coburg, up until the beginning of an in-person council meeting.

- (e) A copy of all questions and community statements including those to be taken On Notice received before 5pm on the day of the Council Meeting, will be distributed to Councillors as soon as reasonably practicable.
- (3) Assistance will be available for any community member seeking or requiring support to write their question(s).
- (4) A maximum of three questions will be heard on any one subject. Council will then proceed to the next subject, returning to the previous subject if time allows.
- (5) Questions that are submitted in writing but not asked, will be taken On Notice.
- (6) Persons submitting questions must be present in the public gallery either personally or by representative unless the question has been submitted in accordance with a procedure developed at Rule 3.6.4.
- (7) When invited by the Chairperson, the person submitting the question:
 - (a) Must state their name and suburb;
 - (b) May ask their question, with a preamble or background for up to 3 minutes.
- (8) The Chairperson may elect to answer the question themselves or a Councillor may nominate themselves to answer each question. Prior to responding, the Chairperson may seek contextual information from the person submitting the question.
- (9) The Chairperson may at their discretion, refer the question to the Chief Executive Officer, who may refer it to a member of Council staff.
- (10) No discussion of a question or answer will be allowed, other than for the purposes of clarification by a Councillor.
- (11) A question or community statement may be disallowed by the Chairperson if the Chairperson determines it:
 - (a) relates to a matter outside the duties, functions or powers of Council;
 - (b) is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
 - (c) may lead to a breach of Council's obligation to comply with its statutory obligations;
 - (d) deals with subject matter already answered; or
 - (e) deals with a matter that should be, or has been, considered as a confidential matter.
- (12) No questions directed at an individual Councillor or member of Council staff will be allowed.
- (13) The Chairperson may decide to take any question On Notice. Questions On Notice will be actioned by the relevant Director and a written response forwarded to the person and made available to Councillors. The status of On Notice items will be reported to the next practicable Council Meeting.
- (14) A question will only be dealt with as an On Notice question if the entire question has been provided in writing and contact details for a response are provided. An incomplete question or a question where not contact details are provided will not

be prioritised to be included before the time allowed for public question time and community statements has elapsed.

3.6.3 Community statements

- (1) A member of the community may make a statement, for up to 3 minutes, in relation to any matter listed on the Agenda for the Council Meeting that the statement is to be made.
- (2) Community Statements must not be directed at individual Councillors or members of Council staff.
- (3) Community Statements will not receive a response.
- (4) The Chairperson may cease a community statement he or she deems defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance.
- (5) A member of the public wishing to make a community statement may indicate their intention in advance of the Meeting or by completing a form on arrival at the Meeting.

3.6.4 Questions and community statements from members of the public not in attendance and at Meetings conducted electronically

- (1) Council may, by resolution, determine that the Chief Executive Officer must develop a procedure that enables the submission of questions and statements by community members who are not in attendance but are viewing the livestream to be admitted to the Meeting.
- (2) A procedure developed at Sub-Rule (1) must include the person asking the question being visible to the Meeting when asking a question.
- (3) Where a person is experiencing technical difficulties that prevents them from asking their submitted question, as lodged in accordance with Rules 3.6.2 or 3.6.3 (ie. unable to connect to an online meeting) or where connectivity issues arise that prevent the person from being able to be seen or heard when invited to address Council, the Chairperson may elect to read out their question.
- (4) A procedure developed in accordance with Sub-Rule (1) must give consideration to:
 - (a) Accessibility;
 - (b) Community members in attendance at the Meeting; and
 - (c) Relevance of the question to an item on the Agenda for the Meeting.
- (5) If a Council Meeting is being conducted electronically or online, in accordance with any Guidelines issued for the Minister for Local Government, provision will be made for questions and community statement to be made via video call, if the question or intent to make a submission is lodged in accordance with Rules 3.6.2 or 3.6.3 as is applicable.

3.6.5 Petitions and joint letters

- (1) Every petition submitted to Council must:
 - (a) be in legible and in permanent writing;
 - (b) state clearly on each page the matter and the action sought of Council;
 - (c) not be derogatory, defamatory or objectionable in language or nature;
 - (d) not relate to matters outside the powers of Council; and
 - (e) include the names, addresses and original signatures of at least 10 people;
 - (f) clearly indicate the name and contact details of the lead petitioner.
- (2) If the lead petitioner is present at the Meeting at the time a petition is presented, the Chairperson may invite the lead petitioner to address the Meeting for up to two minutes.
- (3) Where a petition has been signed by less than 10 people or does not otherwise conform to the requirements contained in rule 3.6.5 (1), it will be treated as a joint letter and forwarded directly to the appropriate member of Council staff for action as an operational item.
- (4) Any Councillor presenting a petition is responsible for ensuring that:
 - (a) he or she is familiar with the contents and purpose of the petition; and
 - (b) the petition is not derogatory, defamatory or objectionable in language or nature.
- (5) The only Motions that may be considered by Council on any petition are:
 - (a) that the petition be received; and
 - (b) that the petition be referred to the Chief Executive Officer or relevant Director for consideration and response; or
 - (c) that the petition be referred to the Chief Executive Officer or relevant Director for a report to a future Council Meeting.
- (6) If a petition relates to an item listed on the Agenda for the Meeting at which it is submitted, the petition may be dealt with in conjunction with the item.
- (7) If a petition relates to:
 - (a) a 'planning matter' which is the subject of a public exhibition or notification process under the Planning and Environment Act 1987; or
 - (b) a matter which Council has determined will be the subject of a Hearing Committee and is the subject of a public submissions process in accordance with Council's Community Engagement Policy,the petition will be treated as a joint submission in relation to the 'planning matter' or the 'statutory matter' (as the case may be).

- (8) An online or electronic petition may be submitted to a Council Meeting.
- (9) The number of signatories to an online or electronic petition will be taken to be the number of signatories at the time the petition is provided to Council for submission to a Council Meeting.
- (10) An online or electronic petition will not be presented to a Council Meeting if it contains signatures that are false or misleading.

3.6.6 Submissions to Meetings designated for Planning and related matters

At a Meeting Designated for Planning and Related Matters:

- (1) the Chairperson may invite a Council Officer to provide an overview of a planning matter to be considered; and
- (2) an objector to, or proponent of, a Planning Permit Application or Planning Scheme Amendment included in the Agenda, may be invited by the Chairperson to address the Meeting for no more than three minutes.

3.6.7 Public addressing the Meeting

- (1) Any member of the public addressing Council must extend due courtesy and respect to Council and the processes under which it operates and must take direction from the Chairperson whenever called on to do so.
- (1) Council may suspend standing orders in accordance with Rule 3.12, to hear from a community member or representative of an organisation, on matters of significance to the Council, only if prior arrangements have been made by written request to the Mayor or Chief Executive Officer.

3.6.8 Display of placards and posters

- (1) Subject to Sub-Rules (2) and (3), a person can display any placards or posters in the Council Chamber or in any building where a Meeting is being, or is about to be, held, including outside the entrance to the building.
- (2) A placard or poster must not:
 - (a) display any offensive, indecent, insulting or objectionable item or words; or
 - (b) obstruct the entrance to the Council Chamber or a building where a Meeting is being, or is about to be, held;
 - (c) obstruct the view or physically impede any person; or
 - (d) be attached to a pole, stick or other object.
- (3) The Chairperson may order and cause the removal of any placard or poster that is deemed by the Chairperson to be objectionable, disrespectful or otherwise inappropriate.

3.6.9 Prohibited items

- (1) Unless worn for either medical, health, cultural or religious purposes, a person must not wear a facemask or head covering that disguises their identity.
- (2) A person may not bring in the Council Chamber or any building where a Meeting is being, or is about to be, held, including outside the entrance to the building any item that may affect the safety or security of the Meeting.
- (3) Items considered to affect the safety or security of a Meeting include:
 - (a) A bag or object larger than a small backpack;
 - (b) Devices that amplify sound;
 - (c) Any other object identified by a Councillor, Council officer or security officer.
- (4) The Chairperson may cause the removal of any object or material that is deemed by the Chairperson to be objectionable or disrespectful.

3.6.10 Chairperson May Remove ⁴

- (1) Members of the public present at a Council Meeting must not interject during the Council Meeting.
- (2) If a person, other than a Councillor, interjects or gesticulating offensively during the Council Meeting, the Mayor may direct:
 - (a) the person to stop interjecting or gesticulating offensively; and
 - (b) if the person continues to interject or gesticulate offensively, the removal of the person.
- (3) In causing a person's removal under Sub-Rule (2)(b), or the removal of an object or material under Sub-Rules 3.6.8 and 3.6.9, the Chairperson may ask the Chief Executive Officer, an Authorised Officer or a member of security or Victoria Police to remove the person, object or material.

3.6.11 Chairperson may adjourn Disorderly Meeting

- (1) The Chairperson may call a break in a Meeting for either a short time, or to resume another day if:
 - (a) the behaviour at the Council table or in the gallery is significantly disrupting the Meeting; or
 - (b) as provided in Rule 3.5.8 when a Meeting has been in progress for longer than 2 hours.
- (2) The break referred to in Sub-Rule (1) is an adjournment.
- (3) If the Chairperson calls a Meeting to resume on another day, the provisions of 3.4.1 apply.

⁴ It is intended that this power to remove a member of the public, be exercisable by the Chairperson, without the need for any Council resolution. The Chairperson may choose to order the removal of a person whose actions immediately threaten the stability of the Meeting or wrongly threatens his or her authority in chairing the Meeting.

3.7 Voting

3.7.1 How a matter is determined

- (1) To determine a Motion at a Meeting, the Chairperson must first call for those in favour of the Motion and then those opposed to the Motion and must then declare the result to the Meeting.
- (2) In the event of a tied vote, the Chairperson must, unless the Act provides otherwise, exercise a Second vote (casting vote).

3.7.2 Voting must be seen

- (1) Voting may be by any method resolved by Council that enables those in attendance and those watching a livestream broadcast to clearly see which way a Council has voted at the time a vote is taken.
- (2) In the absence of a Council resolving an alternative method, voting on any matter is by show of hands.

3.7.3 When a division is permitted

- (1) A division may be requested by any Councillor on any vote.
- (2) The request must be made to the Chairperson either immediately prior to, or immediately after, the vote has been taken, and may not be made after the Meeting has moved to the next item of business.
- (3) When a division is called for the Chairperson must:
 - (a) first ask each Councillor wishing to vote in favour of the Motion to clearly indicate their vote and the Chairperson must then state the names of those Councillors to be recorded in the Minutes;
 - (b) then ask each Councillor wishing to vote against the Motion to clearly indicate their vote and the Chairperson must then state the names of those Councillors to be recorded in the Minutes;
 - (c) next, ask each Councillor abstaining from voting to clearly indicate their vote and the Chairperson must then state the names of those Councillors to be recorded in the Minutes; and
 - (d) finally, declare the result of the division.
- (4) Where a division is requested after the original vote has been taken, the Motion is decided on the division and the fact that there may be a difference between the result obtained when the original vote was taken and the result obtained on the division must be disregarded.

3.7.4 No discussion once a vote has been declared

- (1) Once a vote on a Motion has been declared carried or lost by the Chairperson, no further discussion relating to the Motion is allowed, unless the discussion:
 - (a) involves a Councillor requesting that his or her opposition to a resolution be recorded in the Minutes or calling for a division; or

- (b) is a Councillor foreshadowing a notice of rescission where a resolution has just been made, or a positive Motion where a resolution has just been rescinded.
- (2) If a Motion is defeated, a new Motion on the same matter may be considered by Council only to avoid that matter being left in limbo.

3.8 Addressing the Meeting

3.8.1 Councillor allowed to speak uninterrupted

A Councillor who has the floor must not be interrupted unless called to order, or given notice by the Chairperson his speaking time has elapsed or is about to elapse, when he or she must sit down and remain silent until the Councillor raising the Point of Order has been heard and the Point of Order dealt with.

3.8.2 Addressing the Meeting

- (1) If the Chairperson so determines, any person addressing the Chairperson must refer to the Chairperson as:
 - (a) Mayor; or
 - (b) Chairperson,
- (2) all Councillors, other than the Mayor, must be addressed as Cr.....(surname); and
- (3) all Council staff, must be addressed by their official title.
- (4) Except for the Chairperson and Chief Executive Officer, any person who addresses the Meeting must direct all remarks through the Chairperson.

3.9 Motions and Debate

A resolution must be able to be acted upon, a Motion must clearly state what is intended and what its effect will be if it becomes the decision. This provides clarity for the implementation of Council decisions.

3.9.1 Moving a Motion

The procedure for moving any Motion is:

- (1) The mover must outline the Motion without speaking in support of it;
- (2) The Motion must be seconded by a Councillor other than the mover;
- (3) If a Motion is not seconded, the Motion lapses for want of a seconder;
- (4) If there is a seconder, then the Chairperson must call on the mover to speak to the Motion;
- (5) After the mover has spoken to the Motion, the seconder may also speak to the Motion;
- (6) After the seconder has spoken to the Motion (or after the mover has spoken to the Motion if the seconder reserves their right to speak to the Motion), the Chairperson must call on any Councillor who wishes to speak against the Motion, then on any

Councillor who wishes to speak for the Motion, after waiting until all Councillors wishing to speak to the Motion have spoken; and

- (7) If no Councillor wishes to speak against the Motion, then the Chairperson may put the Motion or call on any other Member to speak.
- (8) If the mover or seconder of a motion indicates that he or she wishes to withdraw from moving or seconding the motion, the Chairperson may seek another mover or seconder (as the case requires), but if no Councillor indicates his or her willingness to be the substitute mover or seconder, the motion lapses.

3.9.2 Chairperson's duty

Any Motion which:

- (1) is defamatory; or
 - (2) is objectionable in language or nature; or
 - (3) is vague or unclear in its intention; or
 - (4) is outside the powers of Council; or
 - (5) is not relevant to an item of business on the Agenda and has not been admitted as urgent business; or
 - (6) purports to be an amendment but is not
- must not be accepted by the Chairperson.

3.9.3 Right of reply

- (1) The mover of a Motion, which has not been amended, may, once debate has been exhausted, exercise a right of reply to matters raised during debate.
- (2) No new matters may be raised in the right of reply.
- (3) If no Councillor has spoken against a Motion, there will be no right of reply.
- (4) After the right of reply has been exercised, the Motion must immediately be put to the vote without any further discussion or debate.

3.9.4 Moving an amendment

- (1) A Motion, which has been moved and seconded, may be amended by leaving out, inserting or adding words, which must be relevant to the subject of the Motion.⁵
- (2) An amendment may be proposed or seconded by any Councillor, except the mover and seconder of the original Motion.
- (3) If a Councillor proposes an amendment and the original mover and seconder of the Motion both indicate their agreement with the amendment, the amended Motion becomes the substantive Motion without debate or vote.

⁵ If a proposed amendment is Ruled to be the negative of, or substantially contrary to, the Motion, it should be treated as an alternative Motion to be considered only in the event that the Motion before the Chair is lost – see Foreshadowing Motions.

- (4) If a Councillor proposes an amendment to which either the mover or seconder does not agree, the following will apply:
- (a) the amendment must be moved and seconded;
 - (b) a Councillor may speak on any amendment once, whether or not he or she has spoken to the Motion, but debate must be confined to the terms of the amendment;
 - (c) any number of amendments may be proposed to a Motion, but only one amendment may be accepted by the Chairperson at any one time. No second or subsequent amendment, whether to the Motion or an amendment of it, may be taken into consideration until the previous amendment has been dealt with and voted on;
 - (d) if the amendment is carried, the Motion as amended then becomes the Motion before the Meeting (known as the 'substantive Motion'); and
 - (e) the mover of an amendment does have a right of reply.

3.9.5 Foreshadowing Motions

- (1) At any time during debate a Councillor may foreshadow a Motion so as to inform Council of his or her intention to move a Motion at a later stage in the Meeting, but this does not extend any special right to the foreshadowed Motion.
- (2) A Motion foreshadowed may be prefaced with a statement that, in the event of a particular Motion before the Meeting being resolved in a certain way, a Councillor intends to move an alternative or additional Motion.
- (3) A Motion foreshadowed has no procedural standing and is merely a means to assist the flow of the Meeting.
- (4) The Minutes of the Meeting will not include foreshadowed Motions unless the foreshadowed Motion is subsequently formally moved as a Motion.

3.9.6 Withdrawal of Motions

Before any Motion is put to the vote, it may be withdrawn with the Agreement of Council.

3.9.7 Separation of Motions

- (1) Where a Motion contains more than one part, a Councillor may request the Chairperson to put the Motion to the vote in separate parts.
- (2) The Chairperson may decide to put any Motion to the vote in separate parts.

3.9.8 Motions moved in a block

The Chairperson may allow like Motions to be moved, or request Councillors to move like items, in a block (en bloc), if once passed the Motions will only:

- (a) note actions already taken; or
- (b) will not commit Council to further action, approve any spending (including any contractual variations) or changes to policy.

3.9.9 Motions in writing

- (1) All Motions, except Procedural Motions, must be submitted in writing.
- (2) The Chairperson may adjourn a Meeting while a Motion is being written or may request Council to defer the matter until the Motion has been written, allowing the Meeting to proceed uninterrupted.

3.9.10 Debate must be relevant to the Motion

- (1) Debate must always be relevant to the Motion before the Meeting, and, if not, the Chairperson must request the speaker to confine debate to the Motion.
- (2) If, after being requested by the Chairperson to confine debate to the Motion before the Meeting, the speaker continues to debate irrelevant matters, the Chairperson may direct the speaker to be seated and not speak further in respect of the Motion before the Chairperson. The speaker must immediately comply with any such direction.

3.9.11 Adequate and sufficient debate

- (1) Adequate debate is required where a matter is contentious in nature. In such a case, every Councillor should be given an opportunity to participate in the debate.
- (2) A Motion has been sufficiently debated if opposing views (where they exist) have been sufficiently put, not so much the number of those who have spoken but whether all minority opposing views have been put.
- (3) Once the views put are representative of the views of all Councillors or Members of the Delegated Committee, the debate would be regarded as sufficient.

3.9.12 Speaking times

- (1) Unless a Motion for an extension of speaking time has been carried, the maximum speaking times are:
 - (a) the mover of a Motion or amendment – 3 minutes;
 - (b) the mover of a Motion when exercising his or her right of reply – 2 minutes; and
 - (c) any other speaker – 3 minutes.
- (2) A Motion for an extension of speaking time must be proposed before the initial speaking time, for that speaker, expires.
- (3) A Motion for an extension of speaking time must not be accepted by the Chairperson if another Councillor has commenced speaking.
- (4) Only one extension of speaking time is permitted for each speaker.
- (5) Any extension of speaking time must not be more than two minutes.

3.9.13 Procedural Motions

- (1) Unless otherwise prohibited, and subject to Sub-Rule (3), a Procedural Motion may be moved at any time and must be dealt with immediately by the Chairperson.
- (2) Procedural Motions require a seconder.

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- (3) The Chairperson may reject a Procedural Motion if he or she believes the Motion on which it is proposed has not been adequately or sufficiently debated.
- (4) Regardless of any other provision in these Governance Rules, a Procedural Motion must be dealt with in accordance with the table at Sub-Rule (8).
- (5) A Procedural Motion may not be moved or seconded by the Chairperson.
- (6) Unless otherwise provided, a Procedural Motion must not be amended.
- (7) Procedural Motions table:

Motion	Form	Mover/Seconded	When prohibited	Effect if Carried	Effect if Lost	Debate Permitted
Deferral of a matter (to a future Meeting)	'That the debate on this matter be deferred until (insert Meeting/date) to allow (purpose of deferral) ...'	Any Councillor who has not moved or seconded the original Motion or otherwise spoken to the original Motion	{a) During the election of the Mayor/Deputy Mayor; {b) During the election of a Chairperson; or {c) When another Councillor is speaking	Consideration/debate on the Motion and/or amendment is postponed to the stated date and the item is re-listed for consideration at the resolved future Meeting, where a fresh Motion may be put and debated	Debate continues unaffected	Yes
Closure (of debate)	'That the Motion now be put'	Any Councillor who has not moved or seconded the original Motion or spoken for/against the original Motion	During nominations for a Chairperson	Motion or amendment is put to the vote immediately without further debate, subject to any Councillor exercising his or her right to ask any question concerning or arising out of the Motion	Debate continues unaffected	No
Laying a Motion on the table (pausing debate)	'That the Motion be laid on the table'	A Councillor who has not spoken for/against the Motion	During the election of the Mayor/Deputy Mayor	Motion not further discussed or voted on until Council resolves to take the question from the table at the same Meeting	Debate continues unaffected	No
Take a Motion from the table (resume debate on a matter)	'That the Motion in relation to xx be taken from the table'	Any Councillor	When no Motion is on the table	Debate of the item resumes	Debate of the item remains paused	No
Alter the order of business	'That the item listed at xx on the Agenda be considered before/after the item listed as xy'	Any Councillor	{a) At a Meeting to elect the Mayor; or {b) During any debate	Alters the order of business for the Meeting	Items are considered in the order as listed in the Agenda	No

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Motion	Form	Mover/Seconder	When prohibited	Effect if Carried	Effect if Lost	Debate Permitted
Suspension of Standing Orders	'That Standing Orders be suspended to ...' (reason must be provided)	Any Councillor		The Rules of the Meeting are temporarily suspended for the specific reason given in the Motion. No debate or decision on any matter, other than a decision to resume Standing Orders, is permitted.	The Meeting continues unaffected.	No
Resumption of Standing Orders	'That Standing Orders be resumed'	Any Councillor	When Standing Orders have not been suspended	The temporary suspension of the Rules of the Meeting is removed.	The Meeting cannot continue.	No
Adjourn the Meeting	'That the Meeting be adjourned for xx minutes/until xx date [and insert reason]	Any Councillor	When Standing Orders have not been suspended	The Meeting is ceased to reconvene at the specified time/date.	The Meeting continues (if the Governance Rules allow)	Yes
Consideration of confidential matter(s) (Close the Meeting to members of the public)	That, in accordance with section 66(2)(a) of the Local Government Act 2020 the Meeting be closed to members of the public for the consideration of item xx which is confidential as it relates to [insert reason]	Any Councillor	During the election of the Mayor/Deputy Mayor	The Meeting is closed to members of the public.	The Meeting continues to be open to the public.	Yes
Reopen the Meeting	'That the Meeting be reopened to members of the public'	Any Councillor		The Meeting is reopened to the public.	The Meeting remains closed to the public.	No

3.9.14 Notices of Motion

- (1) A Councillor can submit to the Chief Executive Officer a Notice of Motion for inclusion in the Agenda for a Meeting.
- (2) A Notice of Motion must be in writing, signed by the Councillor (including by electronic means), and be lodged with the Chief Executive Officer no later than 12

- noon 10 business days before the Meeting at which it is intended to be considered to ensure its inclusion in the Agenda.
- (3) The Chief Executive Officer must inform Councillors about the legal and cost implications of any proposed Notice of Motion. The Chief Executive Officer may suggest revised wording to the draft Notice of Motion to facilitate compliance with the requirements for Notices of Motion under these Governance Rules.
 - (4) A Notice of Motion must relate to the objectives, role and functions of Council as outlined in the Act.
 - (5) A Notice of Motion must call for a Council report if the Notice of Motion proposes any action that:
 - (a) impacts the levels of Council service;
 - (b) commits Council to expenditure greater than \$5,000 that is not included in the adopted Council Budget;
 - (c) proposes to establish, amend or extend Council policy;
 - (d) proposes to impact the rights of any person who has not had the opportunity to contribute their views;
 - (e) commits Council to any contractual arrangement; or
 - (f) concerns any litigation in respect of which Council is a party.
 - (6) The Chief Executive Officer must reject any Notice of Motion which:
 - (a) is too vague;
 - (b) is defamatory;
 - (c) may be prejudicial to any person or Council;
 - (d) is objectionable in language or nature; or
 - (e) is outside the powers of Council.
 - (7) The Chief Executive Officer may reject a proposed Notice of Motion that relates to a matter that can be addressed through the operational service request process.
 - (8) If rejecting a Notice of Motion, the Chief Executive Officer must inform the Councillor who lodged it of that rejection and the reasons for the rejection no later than nine business days before the Meeting at which it is intended to be considered. The Councillor may submit a revised Motion within 24 hours.
 - (9) The Chief Executive Officer may designate a Notice of Motion to be confidential in accordance with relevant grounds as contained in the Act, in which case, the Notice of Motion will be considered in the part of the relevant Council Meeting that is closed to members of the public.
 - (10) The full text of any Notice of Motion accepted by the Chief Executive Officer must be included in the Agenda and outline the policy, financial and resourcing implications if the Notice of Motion is passed.
 - (11) The Chief Executive Officer may arrange for comments of members of Council staff to be provided to Councillors prior to the Notice of Motion being published in the Agenda for the relevant Council Meeting.

- (12) The Chief Executive Officer must cause all Notices of Motion to be sequentially numbered, dated and entered in a register.
- (13) Unless Council resolves otherwise, each Notice of Motion must be considered in the order in which they were received.
- (14) The Motion moved must not be substantially different to the Motion published in the Agenda, however may be amended by resolution of the Council.
- (15) If a Councillor who has lodged a Notice of Motion is absent from the Meeting or fails to move the Motion when called upon by the Chairperson to do so, any other Councillor may move the Motion.
- (16) If a Notice of Motion is not moved at the Council Meeting at which it is listed, it lapses.

3.9.15 Notices of Rescission

- (1) A notice of rescission is a form of Notice of Motion. Accordingly, all provisions in these Rules regulating Notices of Motion equally apply to notices of rescission.
- (2) Motions to rescind or alter a previous resolution of Council can be made by:
 - (a) notice of rescission delivered by a Councillor in accordance with Sub-Rule (3); or
 - (b) recommendation contained in an officer's report included in the Agenda.
- (3) A Councillor may propose a Motion to rescind or alter a previous resolution of Council provided:
 - (a) the previous resolution has not been acted on; and
 - (b) a notice is delivered to the Chief Executive Officer or Delegate setting out:
 - (c) the relevant previous resolution to be rescinded or altered; and
 - (d) the Meeting and date when the relevant previous resolution was carried.
- (4) A notice of rescission must be in writing, signed (including by electronic means) and dated by at least two Councillors and be delivered to the Chief Executive Officer or a Delegate by 12 noon at least 10 business days prior to the next Council Meeting and must contain written rationale for the proposed rescission.
- (5) The Chief Executive Officer, or a member of Council staff with responsibility for the subject matter of a resolution, may implement a resolution of Council at any time after the close of the Meeting at which it was made. A resolution of Council will be deemed to have been acted on if:
 - (a) its contents or substance has been formally communicated to a person whose interests are materially affected by it, including by publishing the proposed Minutes of a Council Meeting on Council's website; or
 - (b) a statutory process has been commenced so as to vest enforceable rights or obligations on Council or any other person.
- (6) Notwithstanding Sub-Rule (5)(a) where a Notice of Rescission has been received prior to the publication of the proposed minutes (and a notation has been recorded as per Rule 3.11.1 (p)), the resolution will not be deemed to have been acted upon.

- (7) Notwithstanding Sub-Rule (4), the Chief Executive Officer or member of Council staff must defer implementing a resolution which:
- (a) has not been acted on; and
 - (b) is the subject of a notice of rescission which has been delivered to the Chief Executive Officer in accordance with Sub-Rule (2), unless deferring implementation of the resolution would have the effect of depriving the resolution of usefulness, giving rise to non-compliance with a legal obligation or placing the Council at legal, financial or other risk.
- (8) If a Motion for rescission is lost, a similar Motion may not be put before Council for at least one month from the date it was last lost, unless Council resolves that the notice of rescission be re-listed at a future Meeting.
- (9) If a Motion for rescission is not moved at the Meeting for which it is listed, it lapses.
- (10) A notice of rescission listed on an Agenda may be moved by any Councillor present but if not being moved by the Councillor who submitted it, must be moved in the form it was listed and must not be amended.

3.9.16 Change of Council Policy

- (1) Council reviews its policies to ensure they are current and continue to reflect community expectations and the position held by Council.
- (2) It is good practice for Council to review significant policies at least once in each Council term (every 4 years) and such reviews may lead to change in policy position.
- (3) Subject to Sub-Rule (4), if Council wishes to change a Council policy, a formal notice of rescission is not required.
- (4) If a policy has been in force in its original or amended form for less than 12 months, any intention to change the policy which may result in a substantial change to the policy's application or operation for members of the public should be communicated to those affected, and their comment sought, prior to the policy being changed.

3.9.17 Foreshadowed Items

- (1) At the time designated in the Council Meeting Agenda, a Councillor may foreshadow a Notice of Motion to be submitted for consideration at the next Council Meeting by indicating, when called on to do so by the Chair, the subject matter of the foreshadowed Notice of Motion.
- (2) The subject matter, as indicated by the Councillor, of a Foreshadowed Item will be recorded in the Minutes.
- (3) No discussion or debate is allowed on a Foreshadowed Item.
- (4) A Foreshadowed Item will have no further formal status at that Council Meeting.
- (5) Foreshadowed Items are intended to be used to indicate to Council and the community matters of importance that will be raised at the next Council Meeting.
- (6) If a Councillor does not submit a Notice of Motion in accordance with Rule 3.9.14 for the next Council Meeting, no further action on a Foreshadowed Item will occur.

3.10 Points of Order

3.10.1 Raising a Point of Order

- (1) A Councillor raising a Point of Order must state:
 - (a) the Point of Order; and
 - (b) any chapter, Rule, paragraph or provision relevant to the Point of Order.
- (2) The Chairperson must decide all points of order by stating the provision, Rule, practice or precedent which he or she considers applicable to the Point of Order raised, without entering into any discussion or comment.
- (3) The Chairperson may adjourn the Meeting to consider a Point of Order; otherwise he or she must Rule on it as soon as it is raised.
- (4) All other matters before Council are suspended until the Point of Order is decided.

3.10.2 Dissent in Chairperson's ruling

- (1) A Motion of dissent in the Chairperson's ruling must, if seconded, be given priority to all other items of business and a substitute Chairperson must be elected to preside while the Motion is being considered.
- (2) The substitute Chairperson must put questions relative to the ruling to the Chairperson first, and then to the mover of the Motion.
- (3) The substitute Chairperson must conduct a debate on the Chairperson's ruling, and the matter must be decided by a majority vote.
- (4) The Chairperson must then resume the Chair for the remainder of the Meeting.

3.10.3 Valid points of order

- (1) A Point of Order may be raised in relation to:
 - (a) a Motion which under Rule 3.9.2 should not be accepted by the Chairperson;
 - (b) a question of procedure;
 - (c) a Councillor who is, or appears to be, out of order;
 - (d) debate that is irrelevant to the matter under consideration;
 - (e) a matter that is outside the powers of Council; or
 - (f) any act of Disorder.

3.10.4 Contradiction or opinion

- (2) Rising to express a mere difference of opinion or to contradict a speaker is not a Point of Order.

3.10.5 Disorderly Conduct

- (1) The conduct of Councillors at Council Meetings is governed by the Act, these Rules and the Councillor Code of Conduct.
- (2) Where a Councillor engages in improper or Disorderly conduct, or acts in a way that otherwise disrupts the Meeting, and prevents the conduct of Council business:
 - (a) Council may, by resolution, suspend that Councillor from a portion of the Meeting or from the balance of the Meeting where the Chairperson has warned the Councillor to cease that behaviour; or
 - (b) The Mayor, at a Council Meeting, having previously warned the Councillor to cease that behaviour, may direct a Councillor to leave the Meeting for a period of time or the balance of the Meeting.⁶
- (3) Where Council suspends a Councillor under Sub-Rule (2)(a), or the Mayor directs a Councillor to leave the Meeting under Sub-Rule (2)(b) the Councillor will take no active part in the portion of the Meeting from which he or she has been suspended.

⁶ The Act (section 19(1)(b)) provides the power to the Mayor to direct a Councillor, subject to any procedures or limitations specified in the Governance Rules, to leave a Council Meeting if the behaviour of the Councillor is preventing the Council from conducting its business.

- (4) If a Councillor has been suspended from a Meeting or directed to leave in accordance with Sub-Rule (3) the Chairperson may ask the Chief Executive Officer, an Authorised Officer or a member of Victoria Police to remove the Councillor.

3.11 Minutes

The Minutes of a Meeting must contain details of the proceedings and resolutions made, be clearly expressed, be self-explanatory and incorporate relevant reports or a summary of the relevant reports considered in the decision-making process.

3.11.1 Keeping of Minutes

- (1) The Chief Executive Officer or Delegate is responsible for the keeping of Minutes on behalf of Council. Those Minutes must record:
- (a) the date, place, time and nature of the Council Meeting;
 - (b) the names of Councillors and whether they are present, an apology, on leave of absence, etc.;
 - (c) the titles of the members of Council staff present who are not part of the gallery;
 - (d) the disclosure of a conflict of interest made by a Councillor in accordance with the Act;
 - (e) the arrivals and departures of Councillors, during the course of the Meeting (including any temporary departures or arrivals);
 - (f) every Motion and amendment moved (including Procedural Motions),
 - (g) the outcome of every Motion moved;
 - (h) where a division is called, the names of every Councillor and the way their vote was cast (and if they abstained);
 - (i) when requested by a Councillor, a record of their support of, opposition to, or abstention from voting on any Motion;
 - (j) for the purposes of Sub-Rules (h) and (i) an abstention will be recorded along with a note that the vote was counted against the question in accordance with section 61(5)(e) of the Act.
 - (k) details of any failure to achieve or maintain a quorum;
 - (l) a summary of any question asked and the response provided as part of public question time
 - (m) the items about which community statements have been made and the number of community statements;
 - (n) details of any petitions made to Council, including a full description of the request contained in the petition, if the petition has not already been published in a Council agenda;
 - (o) the time and reason for any adjournment of the Meeting or suspension of standing orders;

- (p) where a rescission motion has been received, a notation will be recorded in the proposed minutes advising that the resolution is subject to a Notice of Rescission to be considered by Council;
- (q) any other matter, which the Chief Executive Officer or Delegate thinks should be recorded to clarify the intention of the Meeting or assist in the reading of the Minutes and at the request of any Councillor; and
- (r) the time the Council Meeting was opened and closed, including any part of the Council Meeting that was closed to members of the public.

3.11.2 Electronic Minutes

Once confirmed, the Minutes may be stored electronically in perpetuity as the record of Council business.

3.11.3 Confirmation of Minutes

- (1) The Minutes as recorded by the Chief Executive Officer, or Delegate, will be made available as the proposed Minutes soon as possible, but at a minimum to:
 - (a) Councillors, within 7 business days;
 - (b) members of the public, by publishing them on Council's website, within 9 business days of the Council Meeting they relate to.
- (2) At every Council Meeting the Minutes of the preceding Council Meeting(s) must be dealt with as follows:
 - (a) a Motion will be moved to confirm the Minutes in the following terms: "That the Minutes of theMeeting held on20.....be confirmed.;"
 - (b) if a Councillor indicates opposition to the Minutes, the Councillor must specify the particular item or items in the Minutes and, after asking any questions to clarify the matter, can only move a Motion to rectify the alleged error(s) in the Minutes by adding the following words to the Motion in Sub-Rule (2) (a) "...subject to the following alteration(s).....".
- (3) no debate or discussion is permitted on the confirmation of Minutes except as to their accuracy as a record of the proceedings of the Council Meeting to which they relate;
- (4) once the Minutes are confirmed in their original or amended form, the Minutes must, if practicable, be signed by the Chairperson of the Meeting at which they have been confirmed; and
- (5) the Minutes must be entered in the minute book and each item in the minute book must be entered consecutively.

3.11.4 Webcasting and Recording of Proceedings

- (1) The Chief Executive Officer (or Delegate) may, for the purposes of minute taking, cause all or part of the proceedings of a Meeting to be recorded on suitable audio or video recording equipment.
- (2) The Chief Executive Officer will cause a livestream of the proceedings of a Meeting to be conducted and the recording of that livestream to be made available to the public.

- (3) A Meeting that has been closed to members of the public for consideration of confidential matters will not be livestreamed.
- (4) A Meeting that has been closed to members of the public for security reasons or because it is necessary to do so to enable the Meeting to proceed in an orderly manner, must continue to be livestreamed.
- (5) A Meeting that has been closed to members of the public for security reasons or because it is necessary to do so to enable the Meeting to proceed in an orderly manner must be adjourned if the livestream is not possible.
- (6) A person in the gallery must not operate film, photographic, tape-recording or other equipment to reproduce sound and/or images at any Meeting without first obtaining the consent of the Chairperson.
- (7) The consent of the Chairperson given under Sub-Rule (3) may be revoked at any time during the course of a Meeting by the Chairperson stating that consent has been revoked and ordering that the recording cease, at which time the recording must cease.

3.12 Suspension of Standing Orders

Standing Orders are the Rules made to govern the procedure at Council Meetings as contained in these Governance Rules. The Standing Orders cover a range of matters including the order of business, Rules of debate, Procedural Motions and election procedures. Standing Orders can be suspended to facilitate the business of a Meeting but should not be used purely to dispense with the processes and protocol of the government of Council.

- (1) To temporarily remove the constraints of formal Meeting procedure and allow full discussion or clarification of an issue, Council may, by resolution, suspend standing orders in accordance with the Procedural Motion table at Rule 3.9.13.
- (2) Suspension of standing orders should not be used purely to dispense with the processes and protocol of the government of Council.
- (3) No Motion can be accepted by the Chairperson or lawfully be dealt with during any suspension of standing orders, except a Motion to resume standing orders.
- (4) No Motion to suspend standing orders can be accepted by the Chairperson during a second extension of time for a Meeting.

3.13 Circumstances in which Council will close a Meeting to members of the public

- (1) The Act provides the basis for matters to be considered as confidential. Council will only close a Meeting to the public for consideration of confidential matters in accordance with the Act and its Public Transparency Policy.
- (2) The Chief Executive Officer may determine to advertise that a Meeting will be closed to members of the public if:
 - (a) There is reason to believe the safety or security of Councillors, Council staff or members of the public will be at risk if the Meeting is open to the public; or
 - (b) All matters to be considered at the Meeting are confidential in nature.
- (3) Council may resolve to close a Meeting to members of the public if:

- (a) There is reason to believe the safety or security of Councillors, Council staff or members of the public is at risk; or
 - (b) A Meeting, has become, or is at risk of becoming so Disorderly that the business of Council cannot be conducted; or
 - (c) The matter to be considered relates to confidential matters.
- (4) Having closed the Meeting in accordance with Sub-Rule (2), Council may resolve that it's decision or any report considered, or any part of its decision or any report considered, may be released to the public, to provide clarity that a Councillor or Council staff member who discusses those elements resolved to be released is not releasing confidential information.

3.13.1 Designated Confidential Information

- (1) If, after the repeal of section 77(2)(c) of the Local Government Act 1989, the Chief Executive Officer is of the opinion that information relating to a Meeting is confidential information within the meaning of the Act, he or she may designate the information as confidential and advise Councillors and/or members of Council staff in writing accordingly.
- (2) Information which has been designated by the Chief Executive Officer as confidential information within the meaning of the Act, and in respect of which advice has been given to Councillors and/or members of Council staff in writing accordingly, will be presumed to be confidential information.

CHAPTER 4 – ELECTION OF THE MAYOR

4.1. Overview

The role and functions of the Mayor are provided in the Act. The holder of this significant office is the Chairperson at Council Meetings, the leader of the Councillors, acts as the principal spokesperson for Council and carries out civic and ceremonial duties. The Mayor also leads engagement with the community on the development of the Council Plan.

The Chief Executive Officer must determine the most appropriate time and date for the election of the Mayor, except that the election of the Mayor must be held in accordance with any provisions contained in the Act⁷.

- (1) A Mayor is to be elected no later than one month after the date of a general election.
- (2) At the Meeting to elect the Mayor, Council must first resolve if the term of the Mayor is to be 1 or 2 years.
- (3) If the Mayor is elected for a 1 year term, the next election of the Mayor must be held on a day to be determined by the Council that is as close to the end of the 1 year term as is reasonably practicable.
- (4) If the Mayor is to be elected for a 2 year term, the next election of the Mayor must be held on a day to be determined by the Council that is as close to the end of the 2 year term as is reasonably practicable.
- (5) A Mayor is to be elected within one month after any vacancy in the office of Mayor occurs.
- (6) The election of a Mayor after the period specified in this section does not invalidate the election.
- (7) A Councillor elected to fill a vacancy in the office of Mayor caused other than by the expiration of a one year or a 2 year term serves the remaining period of the previous Mayor's term.

4.2. Election of Mayor⁸

- (1) At a Council Meeting that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.
- (2) Subject to section 167, any Councillor is eligible for election or re-election to the office of Mayor.
- (3) The election of the Mayor must—
 - (a) be chaired by the Chief Executive Officer; and
 - (b) subject to this section, be conducted in accordance with the Governance Rules.

⁷ In accordance and as outlined in Section 26 of the Act

⁸ In accordance and as outlined in Section 25 of the Act

- (4) Subject to subsections (5) and (6), the Mayor must be elected by an absolute majority of the Councillors.
- (5) If an absolute majority of the Councillors cannot be obtained at the Meeting, the Council may resolve to conduct a new election at a later specified time and date.
- (6) If only one Councillor is a candidate for Mayor, the Meeting must declare that Councillor to be duly elected as Mayor.
- (7) In this section, **absolute majority** means the number of Councillors which is greater than half the total number of the Councillors of a Council (i.e. 6).

4.3. Role and Election of Deputy Mayor

In accordance with section 21 of the Act, the role of the Deputy Mayor must perform the role of the Mayor and may exercise any of the powers of the Mayor if the mayor is unable to attend a Council meeting or part thereof; incapable to perform his or her duties or the office of the Mayor is vacant.

- (1) At the Council Meeting at which the Mayor is to be elected, the Council may resolve to establish the position of Deputy Mayor and elect a Councillor to the position of Deputy Mayor.
- (2) The term of a Deputy Mayor is identical to the term of the Mayor as resolved by Council.
- (3) If the Council has not resolved to establish the position of Deputy Mayor, any provisions in this these Governance Rules relating to the Deputy Mayor have no effect.

4.4. Nominating

- (1) Each nomination requires a mover and seconder.
- (2) A nominated Councillor must advise the Chair whether they accept or decline the nomination as a candidate for the role of Mayor/Deputy Mayor.

4.5. Method of Voting

The election of the Mayor must be carried out by a show of hands.

4.6. Determining the Election of Mayor / Deputy Mayor

- (1) The Chief Executive Officer will preside during the election of the Mayor.
- (2) The Chief Executive Officer must invite nominations for the office of Mayor and confirm acceptance of the nomination with the nominee.
- (3) Where in an election for the Mayor:
 - (a) only one candidate has been nominated, that candidate must be declared elected;
 - (b) two candidates have been nominated, a vote must be taken and the candidate who receives an Absolute Majority of votes must be declared elected;
 - (c) two candidates have been nominated and no candidate receives an Absolute Majority of votes, a Second vote will be conducted.
 - (d) where, after a Second vote, where two candidates have been nominated and no candidate receives an Absolute Majority of votes the Chief Executive Officer will seek the Meeting to resolve to conduct a new election at a Meeting to be held at 6 pm the following day;
 - (e) more than two candidates have been nominated and no candidate receives an Absolute Majority:
 - (i) the candidate with the fewest number of votes cast must be eliminated;
 - (ii) the names of the remaining candidates must be put to the vote again; and
 - (iii) the procedure in (i) and (ii) above must be continued until there remain only two candidates, at which point the candidate to be declared elected is to be determined by the procedures outlined in (b) to (d).
 - (f) in the event of more than two candidates having an equality of votes and one of them having to be declared a defeated candidate (where there are three or more candidates with equal votes); the Chief Executive Officer will conduct a vote for one candidate to be defeated;
 - (g) In the event the vote for a candidate to be defeated results in an equality of votes the defeated candidate will be determined by lot.
 - (h) if a lot is conducted, the Chief Executive Officer will conduct the lot and the following provisions will apply:
 - (i) each candidate will draw one lot;
 - (ii) the order of drawing lots will be determined by the alphabetical order of the surnames of the Councillors who received an equal number of votes except that if two or more Councillor surnames are identical, the order will be determined by the alphabetical order of the Councillors' first names;
 - (iii) as many identical pieces of paper as there are Councillors who received an equal number of votes must be placed in a receptacle;
 - (iv) the word 'Defeated' shall be written on one of the pieces of paper, and the Councillor who draws the paper with the word 'Defeated' written on it must be declared the defeated candidate (in which event a further vote must be taken on the remaining candidates).

- (4) If Council resolves to have the office of Deputy Mayor, the provisions of Sub-Rules (2) and (3) apply to the election of the Deputy Mayor with all necessary modifications and adaptations.

4.7. Ceremonial Mayoral Speech

- (1) Upon being elected, the Mayor may make a ceremonial speech.
- (2) The purpose of the ceremonial Mayoral speech is to outline priorities for the year ahead based on the adopted Council Plan.

CHAPTER 5 COUNCIL COMMITTEES & JOINT COUNCIL MEETINGS

Various types of Committees can play a key role in connecting community views and experts with the decision-making processes of Council. Committees provide advice to Council and to Council officers exercising delegation to make decisions or implement policy.

Committees, usually comprise community members and Councillors, and may include representatives of community organisations. These committees are essential forums to provide input to the development of Council policy and decision making in their areas of focus.

The appointment of Councillors to specific areas of responsibility also provides a framework for relationships between Councillors and the administration of Council to underpin informed decision making.

Council also has Councillor representatives on external committees and organisations to ensure Council's voice is heard in key priority areas. These committees and organisations also inform Council, via its representatives, in regard to sector and/or expert views.

Council will seek the views of community members whose rights or obligations may be affected before making a decision. Community engagement on each issue will be undertaken in accordance with the Community Engagement principles of the Act and Council's Community Engagement Policy.

In certain circumstances Council will establish a formal opportunity for members of the community to address a committee established to hear from the community in regard to a specific issue.

5.1 Delegated Committees

Council may establish Delegated Committees as part of its governance framework. Delegated Committees can comprise Councillors, members of Council staff and others and must be chaired by a Councillor. As Council may delegate specific powers, duties and functions to Delegated Committees, their Meeting procedures need to be formal.

- (1) If Council establishes a Delegated Committee, these Rules will apply to the Delegated Committee Meetings with any necessary modifications.
- (2) For the purpose of Sub-Rule (1):
 - (a) a Council Meeting is to be read as a reference to a Delegated Committee Meeting;
 - (b) a Councillor is to be read as a reference to a Member of the Delegated Committee; and

- (c) a reference to the Mayor is to be read as a reference to the Chairperson of the Delegated Committee.
- (3) If Council establishes a Delegated Committee, Council may resolve that a provision of these Governance Rules do not apply to that Committee.

5.2 Advisory Committees

- (1) Advisory Committees established by Council will be consulted for input on related policy, strategy or major operational proposals.
- (2) Each Advisory Committee will be established in accordance with a framework and terms of reference determined by the Chief Executive Officer that at a minimum will prescribe:
 - (a) Membership terms that provide for renewal of membership and continuity of contribution, with provision for initial appointments to support rotation of memberships.
 - (b) Inclusive and transparent recruitment processes for community member membership and participation.
 - (c) Requirements for disclosures of conflicts of interest.
 - (d) A description of the roles of members including attendance and participation requirements, role of the committee, Councillor chair, reporting requirements, confidentiality.
- (3) Subject to the Local Government Act 2020, the Council may appoint any number or combination of its members and staff officers to be an Advisory Committee to consider and make a recommendation to the Council upon any matter, but no recommendation of any Advisory Committee shall have any force or effect until approved by the Council.

5.3 Hearing Committees

- (1) Council will establish Hearing Committees to provide an opportunity to hear from community members in formal setting on key issues.
- (2) A Hearing Committee will be comprised only of Councillors.
- (3) A quorum for a Hearing Committee will be half of the Councillors appointed to the Hearing Committee.
- (4) Where issue is affects a large proportion of the Merri-bek community all Councillors will be appointed to the Hearing Committee.
- (5) Priority will be given to addresses from those members of the community who have registered an interest in addressing a Hearing Committee.
- (6) Community members will be provided with reasonable notice of the date and time that they will be invited to address a Hearing Committee.
- (7) Council may resolve that a Hearing Committee Meeting will be held electronically and make provisions for community members address the committee by a video conferencing tool.
- (8) Council may resolve a Hearing Committee Meeting will be livestreamed.

- (9) A summary of proceedings of all Hearing Committee Meetings held will be reported to Council.

5.4 Community Asset Committees⁹

The Act provides for Council to establish a community asset committee for the management of a community asset such as a hall. Council may appoint members of the community to the committee and delegate to it powers, duties, or functions. The powers delegated to a community asset committee must be limited in the amount and purpose of any financial delegation.

- (1) The Governance Rules will apply to any Community Asset Committee established by Council.
- (2) Council may resolve, in establishing a Community Asset Committee, that the Meeting procedure chapter of these Governance Rules does not apply.
- (3) A Community Asset Committee must report the Minutes of all Committee Meetings to the next practicable Council Meeting.
- (4) A Community Asset Committee must act in accordance with its adopted Charter, Instrument of Delegation and any Terms of Reference adopted by Council.
- (5) A Community Asset Committee must adhere to any policy, guideline or protocol introduced by Council, which relates to the operational or governance requirements of the Committee.
- (6) A Community Asset Committee must provide Council with an Annual Report each year, in a format determined by the Chief Executive Officer.

5.5 Joint Council Meetings

Regional collaboration provides benefits to the Merri-bek community through collective procurement, increased advocacy and alignment for major projects. While on some matters that are worked on in partnership it's possible for the participating Councils to make their own decisions and determinations, in some circumstances, it may be beneficial to hold Joint Council Meetings as are provided for in the Act.

- (1) Council may resolve to participate in a Joint Council Meeting.
- (2) If Council has resolved to participate in a Joint Council Meeting, the Chief Executive Officer (or Delegate) will agree on governance Rules with the participating Councils.

⁹ Section 47 of the Act provides:

1) The Chief Executive Officer may by instrument of delegation delegate any power, duty or function of the Council that has been delegated to the Chief Executive Officer by the Council to—

- (a) a member of Council staff; or
- (b) the members of a Community Asset Committee.

This means Council may not delegate directly to a Community Asset Committee.

- (3) Where the participating Councils agree Merri-bek will chair a Joint Council Meeting, the Mayor will be nominated to Chair the Joint Council Meeting.
- (4) A joint meeting must comply with any requirements prescribed by the regulations.

CHAPTER 6 – CONFLICTS OF INTEREST

The Act defines general and material conflicts of interest and provides exemptions for remoteness and interests in common with a substantial proportion of ratepayers along with other specific circumstances.

The Act also provides Council must include in its Governance Rules procedures for disclosures of Conflicts of interest, including at Meetings conducted under the auspices of Council that are not Council Meetings. Meetings conducted under the auspices of Council include those Meetings arranged or hosted by Council.

These Rules provide the procedures for disclosures of conflicts of interest.

Further guidance is available from the Managing Conflicts of Interest guideline.

6.1 Obligations with regard to conflict of interest:

- (1) Councillors, members of Delegated Committees and Council staff and contractors are required to:
 - (a) Avoid - all situations which may give rise to conflicts of interest;
 - (b) Identify - any conflicts of interest; and
 - (c) Disclose – or declare all conflicts of interest.

6.2 Councillors and Members of Delegated Committees

- (1) May not participate in discussion or decision-making on a matter in which they have a conflict of interest.
- (2) When disclosing a conflict of interest, Councillors must clearly state their connection to the matter.
- (3) All disclosures of conflicts of interest will be recorded in the Minutes of a Council or Delegated Committee Meeting.
- (4) Council will maintain a Conflict of Interest Register which will be made available on Council's website.

6.3 Procedure at a Council or Delegated Committee Meeting

- (1) At the time designated in the Agenda, a Councillor with a conflict of interest in an item on that Agenda must indicate they have a conflict of interest by clearly stating:
 - (a) The item for which they have a conflict of interest; and
 - (b) Whether their conflict of interest is general or material; and
 - (c) The circumstances that give rise to the conflict of interest.
- (2) Immediately prior to the consideration of the item in which they have a conflict of interest, a Councillor or Member of a Delegated Committee must indicate to the Meeting the existence of the conflict of interest and leave the Meeting.
- (3) A Councillor who is not present at the designated time in the Agenda for disclosures of conflicts of interest, must disclose their conflict of interest in the manner that required for the declarations of conflicts of interest at Sub-Rule (1) prior to leaving the Meeting.

- (4) A Councillor or Member of a Delegated Committee who discloses a conflict of interest and leaves a Council Meeting must not communicate with any participants in the Meeting while the decision is being made.

6.4 Procedure at Advisory Committee Meetings and other Meetings organised, hosted or supported by Merri-bek

- (1) A Councillor or member of an Advisory Committee who has a conflict of interest must not participate in discussion of matters that will come before Council for a decision, or if a decision will be made by a member of staff acting under delegation.
- (2) At the time indicated on the Agenda, a Councillor or member of an Advisory Committee with a conflict of interest will indicate the existence of the conflict of interest and the matter in which the conflict of interest arises.
- (3) If there is no Agenda, a Councillor or member of an Advisory Committee with a conflict of interest will indicate the existence of the conflict of interest as soon the matter arises.
- (4) At the time for discussion of that item, the Councillor or member of an Advisory Committee will leave the discussion and not communicate with any members of the Meeting for the duration of the discussion.
- (5) The existence of a conflict of interest will be recorded in the Minutes of the Meeting.
- (6) If there are no Minutes kept of the Meeting, the conflict of interest will be recorded in a Meeting record and provided to the Governance team for recording in the register of Conflicts of Interest.
- (7) The Meeting Minutes or record will also record the duration of the discussion and whether the Councillor left the Meeting.
- (8) Meeting records and reports of conflicts of interest will be presented to Council for noting and inclusion on the public record.

6.5 Council staff

- (1) Must act in accordance with the Employee Code of Conduct.
- (2) Must not exercise a delegation or make a decision on any matter where they have a conflict of interest.
- (3) May be permitted to provide advice to a decision maker if a conflict of interest exists, subject to the procedure and disclosure provisions at Rule 5.6 and the Employee Code of Conduct.

6.6 Procedure for disclosures of conflicts of interest by Council staff

- (1) Council staff must disclose the existence of all conflicts of interest in writing and in the form determined by the Chief Executive Officer.
- (2) All conflicts of interest disclosed by Council staff will be provided to the Governance team for recording in the register of Conflicts of Interest.
- (3) A Council staff member who has disclosed a conflict of interest may provide advice to Council or another staff member acting under delegation if:

- (a) The number and qualifications of other people providing advice regarding the same matter is equal or greater; or
- (b) The staff member who has disclosed the conflict of interest is the only staff member with expertise in the area; and
- (c) The staff member's Director determines that the conflict of interest has not influenced the advice provided; and
- (d) The existence of the conflict of interest is documented in all advice provided by that staff member, including any Council Report(s), and in the case of verbal advice, is documented by the decision maker.

6.7 Contractors and Consultants

- (1) All Contractors and consultants engaged by Council to provide advice to the decision making process will be required to disclose conflicts of interest.
- (2) A Contractor or consultant who discloses a conflict of interest will not be engaged to provide advice on that matter unless;
 - (a) The conflict is so remote or insignificant it could not be considered to influence the advice being provided; or
 - (b) There are no other contractors or consultants reasonably available and qualified to provide the technical advice required; and
 - (c) The conflict of interest is documented, including any Council Report(s), in all advice provided by that contractor or consultant.

CHAPTER 7 - DELEGATIONS

Council can make decisions (act) in two ways – by resolution at a Council Meeting or by delegation (others acting on its behalf). The Local Government Act 2020 provides for Council to delegate to the Chief Executive Officer.

Delegation of Council powers to the Chief Executive Officer and other members of Council staff is a long-established practice to enable day to day operational decisions to be made efficiently. Delegation of Council powers is primarily enabled and regulated by the Local Government Act 2020, however powers, duties and functions may be delegated from a range of Acts, Regulations and local laws.

Additionally, the Act and other legislation confers some powers duties and functions directly to the Chief Executive Officer. These may also be delegated by the Chief Executive Officer to various positions in the organisation's structure.

Delegations are to a position in the organisational structure rather than to a person.

- (1) A Delegate must exercise the duties and perform the duties and functions set out in the Instrument of delegation and in accordance with any guidelines or policies of Council.
- (2) A Delegate making a decision that will affect any person's rights, will identify whose rights may be affected and provide an opportunity for that person (or persons) to convey their views regarding the effect on their rights, and consider those views.
- (3) Delegates must keep appropriate records of decisions and actions taken under delegation.
- (4) The Chief Executive Officer may designate certain decisions made under delegation as matters to be reported to Council.
- (5) Council's public register of delegations will be available on its website and for inspection, on request, at Council's offices.

CHAPTER 8 – COMMON SEAL

The purpose of this Section is to provide for the security and proper use of the Common Seal. The Common Seal is the corporate signature of Council and exists in the form of a stamp. It evidences Council's corporate will and authenticates decisions taken and acts performed by Council.

As many of the powers, duties and functions of a Council are delegated to the Chief Executive Officer and other members of Council staff, the Common Seal of Council is only used on legal documents such as local laws, contracts, agreements, transfers of land and other documents where required by legislation or where outside the Chief Executive Officer's delegation.

8.1 Custodian of Common Seal

- (1) A person must not use the Common Seal without authority from Council.
- (2) The Chief Executive Officer must always ensure the security of the Common Seal.

8.2 Arrangements for the Signing and Sealing of a Document

- (1) A written request and a copy of the Council resolution approving the use of the Council seal must be submitted to the Manager Governance and Strategy for signing and sealing.
- (2) If Sub-Rule (1) is not met, the documents must not be signed and sealed.
- (3) A contract or agreement must only be submitted for signing and sealing, once the document has been fully executed by the other party/parties (unless the other party to the contract or agreement is either the State Government of Victoria, the Federal Government or another Local Government entity).

8.3 Affixing the Common Seal

- (1) The affixing of the Common Seal to any document must be attested to by the signatures of both:
 - (a) a Councillor; and
 - (b) the Chief Executive Officer,acting on behalf of Council.
- (2) The seal of a Council must not be affixed to any document without the Council's approval granted either generally or specifically by resolution that the seal be so affixed.

The following is an example of the required approval:

That Council affix the Common Seal to the [description of document].

Or

The [document], shall come into force immediately upon the common seal of the Council is affixed to the [document].

- (3) The affixing of the Seal to a document must be witnessed by signatures of a Councillor and the Chief Executive, except in the instance where the Seal is to be appended to the contract of employment for the Chief Executive. In this instance, a second Councillor will sign alongside the Mayor.

8.4 Sealing Register

The Manager Governance and Strategy will ensure that a register of all uses of the Common Seal is kept by Council. The register will contain a description of the document, the date the Seal was affixed and the date Council resolved to affix the Seal.

CHAPTER 9 - COUNCIL RECORDS

9.1 Records of Meetings held under the auspices of Council

- (1) A record of the matters discussed at all Hearing of submission Meetings, Advisory Committee Meetings and Councillor Briefings organised or hosted by Council will be kept.
- (2) Records kept in accordance with Sub-Rule one will include:
 - a) The attendees at the Meeting, including organisations represented by external presenters;
 - b) The title of matters discussed
 - c) Any conflicts of interest disclosed and whether the person with the conflict of interest left the Meeting.
- (3) Where Minutes are kept of a Meeting and made available to the community, an additional record is not required to be kept.

9.2 Councillor attendance records

- (1) Council will maintain a register of Councillor attendance at Council Meetings, Delegated Committee Meetings and Meetings arranged to brief Councillors.
- (2) The register of Attendance kept in accordance with Sub-Rule (1) will be published on Council's website quarterly

CHAPTER 10 – ELECTION PERIODS

The Election Period Policy governs the conduct of Council, Councillors and members of Council staff during an election period to ensure appropriate decision-making in the lead up to a Council election.

The Election Period prohibits the use of Council resources for any election campaign and puts in place a procedure to ensure Council does not print, publish or distribute any material that may influence the outcome of the election.

Additionally, the Election Period Policy addresses Councillors and staff standing as candidates in Council, State or Federal elections.

Election Periods Generally

- (1) Council will have in place an election period policy that:
 - (a) Governs decision making during a local government election period, including what may be considered at a Council Meeting;
 - (b) Prohibits the use of Council resources for any election campaign purposes, including Federal, State or Council elections;
 - (c) Sets out the conditions for any community engagement required to be undertaken during an election period, including consultations, Civic events, and activities of Advisory Committees established by Council;
 - (d) Sets out the requirements for any Council publications during a local government election period – including the website, social media, newsletters and advertising – to ensure Council does not publish materials that relate to issues that are the subject of election campaigns;
 - (e) Defines roles and responsibilities in relation to who is the spokesperson for Council during an election period;
 - (f) Sets out the requirements for a Councillor or member of Council staff who is a candidate in an election including a Federal, State or Council election.
- (2) At least once in each Council term and, not later than 12 months prior to the commencement of an election period, Council will review its election period policy.
- (3) The Election Period Policy forms part of these Governance Rules.
- (4) The operation of Council Advisory Committees shall be suspended upon the commencement of the election period ahead of a general Council election.
- (5) Any outstanding Delegate's Reports may still be reported to a Council Meeting during this period.
- (6) Council Committees shall resume Meeting following the election and the appointment by the incoming Council of Councillors to each committee.

Election Period Policy

1. Introduction

The Act requires Council to include an Election Period Policy (Policy) in its Governance Rules.

2. Context

Under Section 69 of the Act, an election period policy must prohibit any Council decision during the election period for a general election that:

- (a) relates to the appointment or remuneration of the Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer; or
- (b) commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or
- (c) the Council considers could be reasonably deferred until the next Council is in place; or
- (d) the Council considers should not be made during an election period.

An Election Period Policy must also prohibit any Council decision during the election period for a general election or by-election that would enable the use of Council resources in a way that is intended to influence, or is likely to influence voting at the election.

Section 123 of the Act (Misuse of Position) prescribes serious penalties for any Councillor who inappropriately makes use of their position or information obtained in their role, to gain an advantage, or disadvantage another.

3. Monitoring, Evaluation and Review

The requirements of this policy will be monitored throughout each election period to ensure compliance.

4. Associated documents

Local Government Act 2020

Councillor Code of Conduct

Environmental Protection Act 1970 (EPA Act)

Approval Memo – Appendix 1

5. Policy Objectives

To support and ensure the conduct of good governance for Council and the organisation during election periods through the transparency and accountability of Councillors, Council officers, and candidates during an election period.

The policy complies with the Act, which requires Councils to have an election period policy that sets out requirements relating to conduct, decision making, transparency and equity, and use of Council resources during an election period.

6. Policy Details**6.1 Election Period**

During the 'Election Period' for a Municipal General Election the Council will be deemed to be in 'Caretaker Mode'. The election 'caretaker' period extends for 32 days - from the time nominations close on Nomination Day, until 6pm on election day.

During an election period, Councillors:

- a) Will continue to fulfil their duties (unless they are granted a leave of absence);
- b) Will continue to engage, and communicate with, the community in their Councillor role;
- c) Must comply with the Act and Councillor Code of Conduct, and
- d) Must not use their position to influence Council officers, or access Council resources or information, in support of any election campaign or candidacy.

Section 69 of the Act prohibits any Council decision during the election period for a general election that:

- a) Relates to the appointment or remuneration of the Chief Executive Officer, but not to the appointment or remuneration of an acting Chief Executive Officer;
- b) Commits the Council to expenditure exceeding 1% of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or
- c) The Council considers could be reasonably deferred until the next Council is in place; or
- d) The Council considers should not be made during an election period.

If the Council considers that there are extraordinary circumstances where the municipality or the local community would be significantly disadvantaged by the Council not making a particular decision, the Chief Executive Officer may make an application to the Minister for a compliance exemption in accordance with section 177 of the Act.

During an election period, it shall be the ultimate responsibility of the Chief Executive Officer, having consulted with the Mayor, to determine if a matter is to be presented to Council for decision.

6.2 Guidance on Decisions

Council will avoid making decisions that would affect voting at an election or decisions that may unreasonably bind an incoming Council and could be deferred until after the election.

Examples of inappropriate decisions include:

- a) Allocating community grants or other direct funding to community organisations;
- b) Major planning scheme amendments;
- c) Changes to strategic objectives and strategies identified in the Council Plan;
- d) Adopting policy;
- e) Setting advocacy positions.

The only items to be considered at a Council or Delegated Committee Meeting held during the election period, will be the Annual Report, and administrative items to complete the Council's term of office, for example, routine governance items (including records of Meeting held under the auspices of Council reporting). Public Question Time and Community Statements will be suspended during the election period.

At a Council Meeting designated to consider Planning and Related Matters, only permit applications that may otherwise be subject of an application to VCAT on the grounds Council has failed to determine within the prescribed time will be considered.

6.3 Officers with Delegated Authority

During the election period, Council officers must defer making a decision under a delegation from Council or sub-delegation from the Chief Executive Officer, that could be reasonably deferred until the next Council is in place.

6.4 Caretaker Statement

During the election period, the Chief Executive Officer will ensure that a Caretaker Statement is included in every report submitted to the Council or to a Delegated Committee of Council for a decision.

The Caretaker Statement will specify one or more of the following:

- a) The recommended decision is not, a decision prohibited by the Act and is a decision that falls within the guidance of the Election Period Policy.
- b) The recommended decision is outside the guidance of the Election Period Policy, but the following negative consequences of a failure to make a decision on this matter outweigh the consequences of binding an incoming Council. [Insert description of negative consequences of failure to make decision].
- c) The recommended decision is a decision prohibited in the Act during an election period, but compliance exemption was sought from the Minister in accordance with section 177 of the Act and was granted by on [insert date].

During the election period, the Council will not make a decision on any matter or report that does not include one of these Caretaker Statements.

Councillors will refrain from moving Motions or raising matters at a Meeting that could potentially influence voting at the election.

There will be no Notices of Motion accepted during the Caretaker Period.

6.5 Council resources must not be used

Council resources must not be used by any Councillor or candidate in any way that supports an election campaign or in a way that is intended or likely to influence voting in any election.

6.6 Candidacy

A Councillor must not use Council resources for candidacy, or any purpose that may be perceived as being used for candidacy (individual or political party). This also applies to a Councillor standing in local, state, or federal government elections, and for any other elected positions, for example, positions on boards. Such use would constitute misuse of position by the Councillor.

6.6.1 State and Federal Government Elections

Councillors will ensure there is a demonstrable distinction between their obligations to Council and their personal interests as a candidate, or member of a political party, in an election period prior to a state or federal election. In accordance with the Councillor code of conduct, a Councillor who becomes an endorsed candidate of a registered political party or publicly expresses an intention to run as a candidate in a state or federal election, is a 'Prospective Candidate' and will provide written advice to the Chief Executive Officer, as soon as practicable, who will then advise all Councillors.

Councillors will not use Council resources or participate in electioneering at Council events, Meetings or functions, in support of any candidate in a state or federal election.

Where clauses of this policy apply to a Councillor or candidate, it is intended that they be applied in the case of a state, federal or Council election.

6.7 Council Publications

6.7.1 Electoral Matter

Council will not print, publish or distribute (or cause to be printed, published or distributed) any Electoral Material (anything containing Electoral Matter) during an election period.

The following definitions are noted:

Section 3(1) **'publish'** means publish by any means including by publication on the Internet;

Section 3(4) **'Electoral Matter'** means matter, which is intended or likely to affect voting in an election but does not include any Electoral Material produced by or on behalf of the Returning Officer for the purposes of conducting an election.

Section 3(5) without limiting the generality of the definition of 'Electoral Matter', matter is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on -

- (a) the election; or
- (b) a candidate in the election, or
- (c) an issue submitted to, or otherwise before, the voters in connection with the election.

Council will not issue, publish or distribute any publication during an election period, other than media and social media responses/statements on a service or issue, or those that are required under an Act or regulation, or the Annual Report media release.

'Publications' include hard copy and electronic advertisements, promotional media releases, fliers, posters, newsletters/updates, booklets, surveys, invitations and group mailouts/emails.

Any publications to be issued during the election period are to be forwarded to the relevant Director for approval, and then sent to the Governance unit for vetting for Electoral Matter. Once vetted, the publication will then be submitted to the Chief Executive Officer for approval.

Council publications available in Council facilities will be reviewed before the election period to identify and temporarily remove anything that might reasonably influence the election.

The Chief Executive Officer, or Delegate, will be the primary spokesperson for Council communications during an election period.

Media and social media responses and statements will only be issued during an election period in the name of the Chief Executive Officer. These will be subject to approval by the Chief Executive Officer.

Council officers will not make any public statement that could be construed as influencing the election.

6.7.2 Annual Report

It is a requirement of the Act that Council's Annual Report is presented by the Mayor at an open Meeting of Council held, in the year of a general election, on a day not later than the day before election day. Every endeavour will be made for the report to be prepared and presented prior to the commencement of the election period.

6.8 Council Resources

The Council will also ensure other Council resources are not used inappropriately in ways that may influence voting in an election. This includes financial, human and material resources. Any staff member who considers that a particular use of Council resources may influence voting in the election must advise their Director or the Chief Executive Officer and obtain approval before authorising, using or allocating the resource.

In applying these principles, the Council understands that the following will be the normal practice during the election period:

- a) Council resources, including offices, support staff, hospitality services, equipment and stationery will be used exclusively for normal Council business during the Caretaker Period, and will not be used for the personal advantage of any Councillor or candidate in connection with any election. This does not apply to the provision of space for the Returning Officer.
- b) No new publications or pamphlets, including Inside Merri-bek will be published by Council during the election period.
- c) Speeches for Councillors will only be prepared by Council staff in relation to events that are part of the normal services or operations of the Council, for example for a Citizenship Ceremony, and such speeches will not be circulated or available for publication.
- d) No Council logos, letterheads, business cards, photos or other Merri-bek City Council branding will be used for, or linked in any way, to a candidate's election campaign.

- e) It is recommended that Council staff who are either following Councillors/candidates Facebook pages or who are 'friends' with them unfriend and/or unfollow the Councillor/candidate during this period.
- f) There will be no ward or Councillor Meetings held.
- g) The Executive Assistant to the Mayor and Councillors or any other Council staff member will not be asked to undertake any tasks connected directly or indirectly with electioneering.
- h) Reimbursements of Councillors' out-of-pocket expenses during the Election Period will only apply to costs that have been incurred in the performance of normal Council duties, and not for expenses that could be perceived as supporting or being connected with a candidate's election campaign.
- i) Where Councillors have Council funded equipment, including laptops, tablets, printers and mobile phones, these are not to be used for election purposes or in a manner that could be perceived as supporting or being connected with a candidate's election campaign.

6.8.1 Council Facilities and Meeting Rooms

Council Facilities/Halls for Hire Council facilities will be able to be hired by Federal and State political members and officers, and local candidates (including Councillors) at the normal corporate hire rate determined for the facility, in the lead up to an election, but not during an election period for any local state or federal election.

To avoid a perception that Council facilities are being used to promote any candidacy, no promotional material related to the event/hired use, apart from directional signage, is able to be displayed in the common public areas of the facility being hired. This will be advised at time of booking.

Candidates wishing to conduct electioneering activities in public space, for example, a stall at a shopping strip or park, must act in accordance with Council's local laws and procedures.

No other promotional material, including signage, posters, flyers or banners, for any political candidacy is permitted on Council land or in its facilities at any time.

It is an offense under Council's local laws to display this material on Council land, and penalties apply.

6.8.2 Use of the Title 'Councillor'

Councillors may use the title Councillor in their election material, as they continue to hold office during the caretaker period.

While a Councillor can refer to themselves as Councillor in all communication issued by the Councillor (verbal or written), it must be made clear that it is the communication of a candidate and not a position of Council.

6.8.3 Photographs and Images

Photographs and images paid for by Council or taken by Council officers are not to be used in Electoral Material for any candidate. This includes images of Councillors, Council events, and Council owned or maintained infrastructure.

Photographs taken by Councillors, their family or friends, or professional photos they have directly commissioned and paid for, may be used in Electoral Material.

6.8.4 Election Signage on Council Land

In order to ensure Council resources including buildings and land will not be used to support any electioneering activity, Council prohibits any type of candidate election signage being erected or displayed on Council land, including:

- a) Council owned/managed parks, reserves, buildings (exteriors) and nature strips
- b) Road dividing strips (median strips, traffic islands, roundabouts)
- c) Trees, shrubs or plants
- d) Street signs, traffic control signs, parking signs

If election signage is displayed on Council Land:

- a) Council may request the immediate removal of the signage by the owner or candidate or may remove the signage without notification to the owner or candidate.
- b) An infringement notice and fine may be issued to the candidate, in accordance with the General Local Law.
- c) Any costs incurred by Council to remove signage, and/or any costs caused by the signage, for example, damage to trees, may be charged to the candidate.
- d) If election signage is displayed on Crown, Federal or State land in the City of Merri-bek, Council contact the relevant land manager to request the sign be removed.
- e) Victoria Police will be contacted in the event of any one attempting to obstruct Council officers removing signage.
- f) Council will report all instances of the display on Council land of candidate election signage for a local government election, to the Victorian Electoral Commission.

In accordance with the EPA Act, advertising material/documents may not be affixed to any fixed structure for example, light poles, traffic lights etc without the consent of the owner, occupier or manager of the structure.

6.9 Community Engagement and Council Events

Community engagement is an integral part of Council's policy development process and operations, however, there are concerns that consultation undertaken close to a general election may become an issue in itself and influence voting.

Council events in the lead up to an election can also raise concerns over the potential use of sitting Councillors using them for electioneering purposes.

If consultation must be undertaken or an event held during this time, the Council must explain to the community the special circumstances making it necessary and how the risks influencing the election will be mitigated or prevented.

Therefore, during an election period no public consultation under section 223 of the Local Government Act 1989 will be conducted during this period.

- a) Only consultation for the purpose of planning permit applications and operational issues such as canvassing residents' views on small-scale traffic treatments, installation of single trees and the like will be allowed as they are operational in nature and are unlikely to impact the conduct of the election.
- b) Civic Events will cease during this time.
- c) No election material or active campaigning is to be conducted at Council sponsored festivals.

6.10 Equitable Access to Council Information

The Council recognises that all election candidates have a right to information from the Council administration. However, sitting Councillors will continue to receive information that is necessary to fulfil their elected roles. Neither Councillors nor candidates will receive information or advice from Council staff that might be perceived to support election campaigns, and transparency will be observed and practised in the provision of all information and advice during the Election Period.

Information and briefing material prepared by staff for Councillors during the Election Period will relate only to factual matters or to existing Council policies and services. All such requests are to be issued through the offices of the responsible Council Director who will maintain a register of requests made and advice provided. Such information will not relate to new policy development, new projects or matters that are the subject of public or election debate or that might be perceived to be connected with a candidate's election campaign.

A copy of the document/advice will then be passed to the Manager Governance and Strategy as issued during the Election Period. The document/advice will be emailed or provided in a hardcopy format to all sitting Councillors and candidates to access. Candidates will be advised of this process in writing.

An Information Request Register will be maintained by the Governance and Strategy Branch during the Election Period. This Register will be a public document that records all requests for information by Councillors and candidates, and the responses given to those requests. Only information that can be reasonably accessed will be released.

All requests for information are to be directed to the Manager Governance and Strategy.

6.11 Publicity

It is recognised that Council publicity is intended to promote normal services or operations of the Council. Council publicity will not be used in any way that might be construed as intended to influence the outcome of the Council election.

- a) During the Election Period, no Council employee may make any public statement that could be construed as influencing the election. This does not include statements of clarification that are approved by the Chief Executive Officer.
- b) During the Election Period, publicity campaigns, other than for the purpose of conducting the election, will be avoided. Where a publicity campaign is deemed necessary for a Council service or operation, it must be approved by the Chief Executive Officer. In any event, Council publicity during the Election Period will be restricted to promoting the normal services or operations of the Council.
- c) Any requests for media advice or assistance from Councillors during the Election Period will be channelled through the Chief Executive Officer or the Manager Community Engagement. In any event, no media advice and/or assistance or media releases will be provided in relation to election campaign matters, or in regard to publicity that involves specific Councillors.
- d) Councillors will not use their position as an elected representative or their access to Council staff and other Council resources to gain media attention in support of matters that could be construed as relating to an election campaign.

Information published on Council's website with regard to sitting Councillors will be limited to statements of facts about their roles and responsibilities as a Councillor. For example, contact details, roles and responsibilities as assigned by Council resolution.

6.11.1 Council Websites and Social Media

The only new material published on Council's websites or social medial sites during an election period will be:

- a) The Agenda and Minutes for any Council or Delegated Committee Meetings;
- b) The Annual Report
- c) Key service disruption information

Service information already published on the website will be reviewed to ensure it does not include anything that might be seen as likely to influence the election.

6.12 Assistance to Candidates

A copy of this Policy must be given to each Councillor as soon as practicable after it is adopted, be available for inspection, on request, by the public at the Council office and be published on Council's website. The Chief Executive Officer will ensure that all Councillors, Managers and staff are informed of the requirements of this policy.

The Council affirms that all candidates for the Council election will be treated equally.

Any assistance and advice to be provided to Candidates as part of the conduct of the Council Election will be provided equally to all candidates. The types of assistance that are available will be documented and communicated to all candidates in advance.

All election related enquiries from candidates, whether sitting Councillors or not, will be directed to the Returning Officer or, where the matter is outside the responsibilities of the Returning Officer, to the Chief Executive Officer or the Director Business Transformation.

Governance Rules Review 2025 - Submissions and Responses

Submitter	Submission	Response to Submission
1	We don't elect the CEO, they should not get the only say in what is urgent business. They don't have enough direct contact with rate payers for this to be fair.	<p>Council Officer Comments:</p> <p>No further amendment of the Governance Rules is proposed.</p> <p>The proposed amendments do not preclude Councillors from submitting items of Urgent Business. It enables the Chief Executive Officer to advise Council of potential matters of urgent business and to determine if any matters raised as potential urgent business items, can be addressed through the existing operational service request process, without requiring a Council resolution.</p>
2	While it says ' The changes proposed to the Governance Rules, are detailed below, with removed text struck through and added text displayed in italics' there is no text struck through nor in italics in either of the two rules quoted. Is this in error, or is my display not working?	<p>Council Officer Comments:</p> <p>No further amendment of the Governance Rules is proposed.</p> <p>A complete copy of the Governance Rules outlining the proposed amendments was available for download on the Merri-bek Conversations Webpage at the time feedback was sought.</p>
3	In its current form I see nothing to be concerned as really this currently an internal matter and seems will work well. When this first started really we all needed a copy of the Governance Rules to be able to completely understand the documents	<p>Council Officer Comments:</p> <p>No further amendment of the Governance Rules is proposed.</p> <p>Agreement Noted.</p>
4	Seems fair to me	<p>Council Officer Comments:</p> <p>No further amendment of the Governance Rules is proposed.</p> <p>Agreement Noted.</p>
5	I do t agreee would be too secretive	<p>Council Officer Comments:</p> <p>No further amendment of the Governance Rules is proposed.</p> <p>The proposed amendments do not impact on Councils commitment to act in an open and transparent manner.</p>
6	Faulty item. No text struck through; no text displayed in brackets. Unable to grasp what changes are proposed.	<p>Council Officer Comments:</p> <p>No further amendment of the Governance Rules is proposed.</p> <p>A complete copy of the Governance Rules outlining the proposed amendments was available for download on the Merri-bek Conversations Webpage at the time feedback was sought.</p>
7	I object to the change to rule 3.5.6 Urgent Business. The intention of this rule change is to remove the power to make a decision on from elected Councillors, and give it to the CEO. Decision-making powers need to remain with our elected representatives	<p>Council Officer Comments:</p> <p>No further amendment of the Governance Rules is proposed.</p> <p>The proposed amendments do not preclude Councillors from submitting items of Urgent Business. It enables the Chief Executive Officer to advise Council of potential matters of urgent business and to determine if any matters raised as potential urgent business items, can be addressed through the existing operational service request process, without requiring a Council resolution.</p>

7.8 FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MARCH 2025

Director Business Transformation, Sue Vujcevic

Finance and Procurement

Officer Recommendation

That Council notes the Financial Management Report for the period ended 31 March 2025, at Attachment 1 to this report.

REPORT

Executive Summary

This report presents the Financial Management Report for the financial year to date period ending 31 March 2025. A detailed financial review was undertaken across the organisation at the end of February 2025. The results of this review are included in this report as the Full Year Revised Forecast.

The 31 March 2025 Income Statement shows that Council has recorded a surplus of \$86.3 million, \$14.0 million higher than the year-to-date budget of \$72.2 million, as a result of higher overall revenue and lower overall expenditure. These differences are considered largely timing in nature. As set out in the Issues section of this report, operating surplus funds do not convert to immediately available cash to Council; they are used to fund important community infrastructure projects like the Fawkner Leisure Centre redevelopment or Balam Balam Place, Brunswick.

Council has spent \$68.1 million on capital expenditure, which is tracking below the year-to-date (YTD) budget of \$72.7 million, with \$24.6 million budget remaining.

Previous Council Decisions

2024/25 Third Quarter Financial Review – 9 April 2025

That Council:

1. *Notes the 2024-25 Third Quarter Financial Report for the period ending 28 February 2025, including operating performance and capital performance at Attachment 1.*
2. *Notes the status of the capital works program for 2024-25.*
3. *Notes the increase to the full-year forecast for operating income of \$2.9 million and the decrease to operating expenditure of \$0.5 million arising from the 2024-25 Third Quarter Financial Review.*
4. *Endorses the full-year capital expenditure forecast of \$102.2 million, arising from the 2024-25 Third Quarter Financial Review.*
5. *Carries forward the following capital project funding to the 2025-26 Capital Works Program:*
 - a) *Fully or partially grant funded projects to be carried forward if the funding is secured and received this financial year:*
 - *McBryde St Reserve (Moomba Park) – Pavilion Gender Inclusive Facilities - \$1,456,539*
 - *Shared Zones – Victoria St and Albert Street - \$800,000*
 - *Dunstan Reserve Childcare - \$720,000*
 - *Brunswick Early Years Hub - \$400,000*
 - *Community Battery - \$400,000*
 - *Bain Avenue from Plaisted to Boundary, Road Reconstruction - \$367,590*

- Gowanbrae Dog Park - \$200,000
- Wombat Crossings – Barrow St & Blair St, Coburg - \$172,960
- Wombat Crossing – Dawson St at Melville Road, Brunswick West - \$145,390.

b) Rates funded projects:

- Shore Reserve – Football & Cricket - \$704,105
- Sim Cr & Victoria St – Engeny Hot Spot No 8 - \$491,829
- Brunswick City Baths Repainting & Renewal - \$300,000
- Narre Narre Stadium Floor Renewal - \$300,000
- Northwest Brunswick Pre-school - \$263,323
- Urquhart Street from Alva to Keith, Road Reconstruction - \$250,000
- Coburg Bluestone Cottage Complex Redevelopment - \$250,000
- Road Closures - \$205,000
- Victoria St Bike Lanes – Sydney Rd to Pearson St - \$203,527
- South Street – Engeny Hot Spot No 12 - \$200,000
- Merri Trail – Flood Mitigation – Bridge to Darebin - \$185,971
- Kendall/Harding Footbridge over Merri Creek - \$177,000
- Balfe Parks Sports Field Lights - \$163,929
- WSUD Implementation – Various - \$134,000
- Large Scale WSUD (Sportsfield Stormwater Reuse) - \$130,000
- Kerbside Waste Reform (waste charge funded) - \$102,735
- O’Hea St Bike Path Extension – Sussex to Derby St - \$100,000
- LXRP Equipment - \$87,002
- Hadfield Depot Masterplan Development & Drainage - \$75,000
- Craigieburn Shared Path – Stage 4 - \$40,000.

c) Reserve funded projects:

- York Street Park Close to Home - \$300,000
- Park Renewal – Gervase Reserve - \$263,104
- Saxon St Community Hub – Northwest Building - \$150,000
- Minor Park – Tate Reserve (Removal) - \$20,000.

6. Brings forward the following capital project funding to the 2024-25 Capital Works Program:

- Brunswick Activity Centre Upgrade Works – Wilson Ave - \$372,179
- Alva Gr from Urquhart to Bell, Road Reconstruction - \$338,661
- Urban Forest Strategy – Tricky to Plant Areas - \$262,024
- Gym Equipment Replacement Program – Various - \$251,896
- James Martin Reserve (former Pigeon Club) - \$250,000
- Park Renewal – Cox Reserve (reserve funded) - \$59,315
- Coburg Library Redevelopment (reserve funded) - \$50,227
- West Street Intersection and Streetscape - \$43,000.

7. Approves funding for new projects in the 2024-25 Capital Works Program:

- Property Purchase (reserve funded) - \$1,766,000
- 40 km/h Rollout – Traffic Calming (76% externally funded) - \$409,064
- CB Smith – Electrical Works - \$300,000
- Carelink Go+ Device Purchases - \$160,000 (previously budgeted as operating)
- Bob Hawke Capital Improvements/Replacements - \$95,640
- Park Close to Home – 568-574 Sydney Road (reserve funded) - \$50,000.

8. Approves additional funding for the following existing projects:

- McBryde St Reserve (Moomba Park) – Pavilion Gender Inclusive Facilities (externally funded) - \$1,456,539

- *Replace Council Fleet (banked carry forward) - \$786,559*
- *Shared Zones – Victoria St and Albert St - \$270,000*
- *Raeburn Reserve – Cricket Training Nets (externally funded) - \$225,000*
- *Accommodation Changes to Meet Service Demand - \$225,000*
- *Merri Trail – Flood Mitigation – Bridge to Darebin - \$185,971*
- *Road Closures - \$165,000*
- *Installation of Pedestrian Operated Signals - \$110,000*
- *Feasibility Study/Investigation/Design – Forward Planning - \$100,000*
- *Kent Road – Separated Bike Lane Trial - \$100,000*
- *Coburg Library Redevelopment (banked carry forward) - \$100,000*
- *Craigieburn Shared Path - Stage 4 - \$65,000*
- *Coburg Streetscape Masterplan – Louisa St - \$60,400*
- *Wombat Crossing – Albion to Melville - \$50,000*
- *Brunswick Activity Centre Upgrade Works – Wilson Ave - \$50,000*
- *Park Close to Home – 260 Sydney Road (reserve funded) - \$46,000*
- *Woodlands Bridge (50% externally funded) - \$30,102*
- *Turner Street Kindergarten Expansion - \$30,000*
- *Gym Equipment Replacement Program – FLC - \$26,770*
- *Carlise Street – Nicholson – Glenora, Coburg - \$23,745*
- *Cole Reserve Upgrade Masterplan – Lighting - \$18,804*
- *Gillon Cricket Practice Nets - \$13,850*
- *Brearley Reserve – Public Toilets – \$9,513*
- *Harding Street Corridor - \$9,195*
- *Transport Trial Sites – bike lanes & shared zones - \$7,980*
- *Cole Reserve Upgrade Masterplan – Groundworks (banked carry forward) - \$6,429*
- *Municipal Art Collection – Various - \$1,737*
- *Park Renewal – HW Foletta Park - \$840.*

9. *Notes savings realised from the following existing projects in the 2024-25 Capital Works Program:*

- *Fawkner Leisure Centre Redevelopment (reserve funded) - \$600,000*
- *Dawson St Bike Lanes - \$459,250*
- *De Carle Street from Donald to Davies, Road Reconstruction - \$260,000*
- *Mitchell Pde Retaining Wall - \$230,000*
- *Bendigo Street from Alpine to Cumberland, Road Reconstruction - \$210,000*
- *Oak Park Kindergarten - \$200,000*
- *De Carle St Bike Lanes – The Avenue to Moreland Rd - \$189,679*
- *Merri Creek Trail Access and Safety Upgrades - \$185,971*
- *Carnarvon Street from Blyth to Dorothy, Road Reconstruction - \$150,000*
- *Furniture & Fittings Replacement Program - \$150,000*
- *Park Renewal – Fisher Reserve (reserve funded) - \$147,573*
- *Carnarvon Street from Dorothy to Stewart, Road Reconstruction - \$115,000*
- *Yungera St from Wyuna to Mutton, Road Reconstruction - \$106,339*
- *Road Safety and Amenity Improvements Program - \$100,000*
- *Peterson Avenue from Mehegan to Jackson, Road Reconstruction - \$90,000*
- *Tyson Street from Jukes Rd to Denys Street, Road Reconstruction - \$90,000*
- *Derby St Kindergarten Children’s Centre - \$70,000*
- *Park Close to Home Frith Street (reserve funded) - \$60,000*
- *Raeburn Reserve – Lights - \$52,055*
- *Chris Court from Devereaux to Dead End, Road Reconstruction - \$41,984*
- *Lonsdale Street from O’Hea to Murray, Road Reconstruction - \$40,000*
- *Coburg (Former) Bowls – Upgrades - \$35,835*
- *Rayner Reserve – Pavilion Upgrade & Gender Inclusive Facilities - \$35,000*

- *Pedestrian Access & Priority Treatments - \$33,000*
- *Park Renewal – CB Smith Reserve - \$25,000*
- *Coburg Activity Centre Upgrade Works – Victoria St - \$25,000*
- *Commercial Tenancy Maintenance Obligations - \$17,376*
- *Immunisation Room – Minor Capital - \$10,740*
- *Temple Park – Public Toiler Renewal – 24 Gray Street - \$4,750*
- *Rayner Reserve – New Public Toilet - \$2,000*
- *Oxygen Youth Centre – Accessible Door Installation - \$1,878*
- *Kaumple Street, Pascoe Vale, Drainage Works - \$1,604*
- *Shore Reserve – Public Toilets – Reynard Street - \$634.*

2024/25 Second Quarter Financial Review – 12 February 2025

That Council:

1. *Notes the 2024-25 Second Quarter Financial Report for the period ending 31 December 2024, including operating performance and capital performance at Attachment 1.*
2. *Notes the status of the capital works program for 2024-25.*
3. *Notes the decrease to the full-year forecast for operating income of \$5.3 million and the decrease to operating expenditure of \$2.7 million arising from the 2024-25 Second Quarter Financial Review.*
4. *Endorses the full-year capital expenditure forecast of \$107.1 million, arising from the 2024-25 Second Quarter Financial Review.*
5. *Carries forward the following capital project funding to the 2025-26 Capital Works Program:*
 - a) *Grant funded projects to be carried forward if the funding is secured and received this financial year:*
 - *Oak Park Sports and Aquatic – Electrification (83% grant funded) - \$900,000*
 - *Cole Reserve Upgrade Masterplan – Groundworks - \$816,132*
 - b) *Rates funded projects:*
 - *Shore Reserve – Football & Cricket - \$1,207,629*
 - *McBryde St Reserve (Moomba Park) – Pavilion Gender Inclusive Facilities - \$1,000,000*
 - *Replace Council Fleet - \$928,755*
 - *Dunstan Reserve Childcare (8% grant funded) - \$700,000*
 - *Holbrook Reserve Female Friendly Change Rooms - \$700,000*
 - *Glenroy Activity Centre Upgrade – W heatsheaf Rd - \$600,000*
 - *Sylvester St Oak Park Land Slide - \$600,000*
 - *Narre Narre Stadium Floor Renewal - \$400,000*
 - *Coburg Bluestone Cottage Complex Redevelopment - \$400,000*
 - *McBryde St Reserve (Moomba Park) – Social Room Amenities & Kitchen - \$350,000*
 - *O’Hea St Bike Path Extension – Sussex to Derby St - \$313,850*
 - *Hadfield Depot Masterplan Development & Drainage - \$300,000*
 - *Shared Zones – Victoria St and Albert St - \$200,000*
 - *Merri Trail – Flood Mitigation – Bridge to Darebin - \$200,000*
 - *Coburg Library Redevelopment - \$100,000*
 - *Hosken Reserve Stage 3 Football Pitches - \$80,000*
 - c) *Reserve funded projects:*
 - *York Street Park Close to Home - \$600,000*

- *Park Renewal – McCleery Reserve - \$23,800.*
6. *Brings forward the following capital project funding to the 2024-25 Capital Works Program:*
 - *Sim Cr & Victoria St – Engeny Hot Spot No 8 - \$381,000*
 - *Gowanbrae Dr & Birk Ct – Engeny Hot Spot No 6 - \$99,000*
 - *Kerbside Waste Reform – \$48,300.*
 7. *Approves funding for new projects in the 2024-25 Capital Works Program:*
 - *Woodlands Bridge (50% externally funded) - \$38,939.*
 8. *Approves additional funding for the following existing projects:*
 - *Waste Truck Additional – Walter St Depot (waste charge funded) - \$1,587,441*
 - *Greenbank Crescent Retaining Walls - \$831,118*
 - *Coburg North Sports Hub Upgrades - \$372,559*
 - *Brunswick Activity Centre Upgrade Works - Stewart St - \$294,667*
 - *Accommodation Changes to Meet Service Demand - \$261,436*
 - *Gowanbrae Dr & Birk Ct – Engeny Hot Spot No 6 - \$201,000*
 - *Feasibility Study/Investigation/Design - Forward Planning - \$200,000*
 - *Street Landscape Improvements (69% reserve funded) - \$162,183*
 - *Richards Reserve Natural Turf Renewal - \$148,000*
 - *Sim Cr & Victoria St – Engeny Hot Spot No 8 - \$140,829*
 - *Shore Reserve – Football & Cricket - \$123,400*
 - *CB Smith Reserve Passive Irrigation Trial (fully grant funded) - \$122,073*
 - *Dawson St Bike Lanes - \$114,500*
 - *Toilets Lake Reserve – Adjoining Tool Shed - \$70,298*
 - *Bonwick St Toilets, Fawkner - \$62,875*
 - *Carlisle Street – Nicholson – Glenora, Coburg - \$60,752*
 - *Park Close to Home – 260 Sydney Road (fully reserve funded) - \$55,000*
 - *Resurfacing Program – Various - \$50,000*
 - *Derby St Kindergarten Children’s Centre - \$50,000*
 - *Park Renewal – HW Foletta Park (fully reserve funded) - \$37,000*
 - *Sportsfield & Ovals Minor Capital Program - \$30,582*
 - *Sumner Park – 3 Alister Street, North Fitzroy - \$22,525*
 - *Gillon Oval Cricket Practice Nets - \$18,010*
 - *Wallace Reserve – North - \$11,622*
 - *Merri Creek Trail – Seating Installation - \$10,000*
 - *De Carle Street – The Grove to Rennie – Coburg - \$556.*
 9. *Notes savings realised from the following existing projects in the 2024-25 Capital Works Program:*
 - *Replace Council Fleet - \$1,587,441*
 - *Oak Park Kindergarten - \$200,000*
 - *Transport Trial Sites – bike lanes & shared zones - \$114,500*
 - *Allard Park Sportsfield Redevelopment - \$70,138*
 - *Paisley Court from Bluebell Kerb Line to Dead End - \$33,795*
 - *Mitchell Pde Retaining Wall - \$27,319*
 - *Kerb and Channel Repairs – Various Locations - \$25,000*
 - *Bridge Programmed Maintenance – Various Locations - \$25,000*
 - *Lorn St – Kiddle – Wilson, Fawkner - \$18,350*
 - *Holbrook Reserve – Netting - \$4,055*
 - *Chiller Unit – Civic Centre - \$2,296.*
 10. *Notes, as at the end of the second quarter, as per Section 97 (3) of the Local Government Act 2020, the Chief Executive Officer is of the opinion that a revised budget is not required, however impacts to the full year forecast will continue to be closely monitored.*

2024-25 First Quarter Financial Report – 11 December 2024

That Council:

1. *Notes the 2024-25 First Quarter Financial Report for the period ending 30 September 2024, including operating performance and capital performance at Attachment 1.*
2. *Notes the status of the capital works program for 2024-25.*
3. *Notes the increase to the full-year forecast for operating income of \$12.7 million and the increase to operating expenditure of \$4.9 million arising from the 2024-25 First Quarter Financial Review.*
4. *Endorses the full-year capital expenditure forecast of \$114.1 million, arising from the 2024-25 First Quarter Financial Review.*
5. *Carries forward the following capital project funding to the 2025-26 Capital Works Program:*
 - a) *Grant funded projects to be carried forward if the funding is secured and received this financial year:*
 - *Brunswick Early Years Hub - \$2,100,000*
 - b) *Rates funded projects:*
 - *Dunstan Reserve Childcare - \$2,000,000*
 - *Kendall/Harding Footbridge over Merri Creek - \$800,000*
6. *Brings forward the following capital project funding to the 2024-25 Capital Works Program:*
 - *South Street from Jensen to West, Road Reconstruction - \$952,380*
 - *Yungera Street from Wyuna to Mutton, Road Reconstruction - \$744,244*
 - *Fawkner Leisure Centre Redevelopment - \$642,000*
 - *Kerbside Waste Reform - \$103,510*
 - *Charles Mutton Reserve - \$50,000.*
7. *Approves funding for new projects in the 2024-25 Capital Works Program:*
 - *Property Purchase (fully reserve funded) \$3,245,000*
 - *Coburg North Sport Hub Upgrades (transferred from operating) - \$1,780,152*
 - *Sylvester Street Oak Park Land Slide - \$750,000*
 - *Pedestrian Improvements (fully grant funded) - \$598,140*
 - *Blackspot Project East Street and North Street, Hadfield (fully grant funded) - \$88,464*
 - *Edgars Creek Corridor Connection Project (fully grant funded) - \$77,302*
 - *Shade Sail Installation – Anne Sgro Children’s Centre (86% grant funded) - \$48,295*
 - *Immunisation Room – Minor Capital - \$18,000*
 - *Oxygen Youth Centre – Accessible Door Installation - \$12,000.*
8. *Approves additional funding for existing projects in the 2024-25 Capital Works Program:*
 - *Hosken Reserve Stage 4 Open Space and Civil Work (fully reserve funded) - \$1,678,799*
 - *Park Close to Home Frith Street (50% grant funded, 50% reserve funded) - \$650,136*
 - *Dunstan Reserve Stormwater Harvesting (fully grant funded) - \$375,000*
 - *Snell Grove – Public Toilet, Oak Park – \$155,000*
 - *Raeburn Reserve – Lights - \$142,150*
 - *Shore Reserve – Public Reserve – Reynard Street – \$142,000*
 - *Fawkner Community Hall – CB Smith Reserve - \$120,000*

- *Lake Reserve Toilets – Adjoining Tool Shed - \$40,000*
 - *Temple Park Public Toilet Renewal – 24 Gray Street - \$30,000*
 - *Coburg Olympic Pool – Pool Plant and Building Works - \$20,000*
 - *Commercial Tenancy Maintenance Obligations - \$20,000*
 - *Hadfield Depot Internal Break Out Area Works - \$20,000*
 - *Oak Park Kindergarten - \$20,000*
 - *Parker Reserve – Pavilion South - \$10,172*
 - *Municipal Art Collection: Various - \$8,200.*
9. *Notes savings realised from existing projects in the 2024-25 Capital Works Program:*
- *Hosken Reserve Stage 3 Football Pitches - \$512,836*
 - *Gym Equipment Replacement Program Fawkner Leisure Centre - \$374,900*
 - *McPherson Street from Dead End to Reynard - \$320,628*
 - *Carnarvon Street from Blyth to Dorothy, Road Reconstruction - \$172,028*
 - *Pascoe Vale Community Centre – Children’s Area Refurbishment - \$164,266*
 - *Kent Road from Bawden to Derby, Road Reconstruction - \$158,183*
 - *Park Renewal – Evans Reserve - \$154,000*
 - *Bain Avenue from Plaisted to Boundary, Road Reconstruction - \$151,458*
 - *Paisley Court from Bluebell Kerb Line to Dead End, Road Reconstruction - \$126,978*
 - *Beccles Street from Anderson Kerb Line to Lawson Kerb Line - \$122,212*
 - *Carnarvon Street from Dorothy to Stewart, Road Reconstruction - \$110,000*
 - *Londsdale Street from Ohea to Murray, Road Reconstruction - \$102,559*
 - *Chris Court from Devereaux to Dead End, Road Reconstruction - \$59,660*
 - *Allard Park Sportsfield Redevelopment - \$47,362*
 - *Carbon Management Strategy: Various - \$20,000*
 - *De Carle Street: The Grove to Rennie – Coburg - \$7,509*
 - *De Carle Street: The Avenue to The Grove – Coburg - \$5,492.*

2023-24 Financial Statements and Performance Statements – 11 September 2024

That Council, in accordance with the recommendations of the Audit and Risk Management Committee, and having considered Council’s Financial and Performance Statements for 2023/24 Statements at Attachments 1 and 2 to this report:

1. *Approves ‘in principle’ the Financial and Performance Statements 2023/24.*
2. *Authorises the Mayor, Cr Adam Pulford, Deputy Mayor, Cr Lambros Tapinos, and the Chief Executive Officer, Cathy Henderson, to certify the Financial and Performance Statements for 2023/24 in their final form.*
3. *Notes the unrestricted surplus of \$1.141 million transfers to the Significant Projects Reserve.*
4. *Carries forward the \$536,978 of tied grant funding or contributions that were not spent as of 30 June 2024.*
5. *Carries forward the \$41.377 million of capital project funds into the 2024/25 Capital Works Program.*
 - *Noting that this does not include a carry forward for the Brunswick Velodrome community pump track due to the funding source being grant funding which was not successful.*
6. *Authorises the Principal Accounting Officer to implement any minor administrative changes to the Financial and Performance Statements for 2023/24 if recommended by the Auditor-General upon final review, for approval by the Chief Executive Officer.*

1. Policy Context

The 2024-2028 Budget was adopted by Council on 26 June 2024. The Budget sets out the resources required to deliver the Council Plan, Services and Capital Works Program for the 2024/25 financial year.

This report supports Council's continuing commitment to open and accountable management of the financial resources of Merri-bek on behalf of its ratepayers.

2. Background

The Financial Management Report at Attachment 1 provides Council's financial statements for the year to date (YTD) period ended 31 March 2025. The actual results are compared to the budget in the Executive Summary and compared to the revised forecast in all other parts of the report, which include carry forwards from 2024-25 and the outcomes of the First, Second and Third Quarter Financial Reviews.

Relevant Council Plan action, strategy, policy, or resolution

This report supports Council's continuing commitment to open and accountable management of the financial resources of Merri-Bek on behalf of its ratepayers.

3. Issues/Discussion

Council ended March 2025 with a surplus operating result of \$86.3 million which is \$0.2 million (0%) more than the year to date (YTD) revised forecast of \$86.1 million. These differences are considered largely timing in nature.

It is important to note that the \$86.3 million operating surplus does not convert to immediately available cash to Council. Surplus funds are used to fund important community infrastructure projects like the Fawkner Leisure Centre redevelopment or Balam Balam Place, Brunswick.

As described above, significant amounts of surplus are restricted by legislation or re and must be used for future infrastructure investment.

Significant variance explanations are provided below to clarify where the current YTD variances are expected to be a timing or permanent difference by 30 June 2025. A timing variance is a current difference between actual result and budget which is expected to be resolved before the end of the financial year. A permanent variance is a current difference between actual result and budget which will continue to the end of the financial year.

The main items contributing to the overall variance are:

Revenue

- **Grants Capital** ended \$0.9 million (28%) favourable primarily due to the timing of receipt of grant funding for Fawkner Leisure Centre redevelopment (\$0.3 million), Oak Park Kindergarten (\$0.2 million) and Derby St Kindergarten (\$0.1 million) (timing).

Expenditure

- **Contracts, Materials and Services** ended \$1.5 million (3%) favourable primarily due to later than anticipated payment to the Victorian Electoral Commission (VEC) for the provision of Council electoral services (timing).

Net Loss on Disposal of Assets ended \$1.8 million (145%) unfavourable due to recognition of asset book value write-offs occurring as a result of capitalisation of recently completed asset renewal projects across roads, footpaths and drainage (permanent).

Key Definitions

Surplus – is reported based on the Australian Accounting Standards and includes all operating income and expenditure recognised in the financial period, including gifted subdivisional assets (non-monetary), developer contributions and grants towards capital works projects. It is important to note that the surplus is not a cash surplus. It does not convert to immediately available cash for Council. Significant amounts of the surplus are restricted by legislation and must be used for future infrastructure investment.

Adjusted underlying surplus – is the surplus for the year adjusted for non-recurrent capital grants and contributions. It is an accepted measure of financial sustainability as it is not impacted by non-recurring or once-off items of revenue and expenses that can often mask the operating results.

Unrestricted result – this is the net funding result after considering the funding requirements to meet loan principal repayments and transfers to and from reserves.

Capital Projects – Capital Expenditure

Council has spent \$68.1 million on capital expenditure year to date which is tracking \$5.9 million (8%) below the YTD forecast of \$74.0 million, with \$34.1 million (33%) of the revised budget remaining.

Cash

Council's cash assets were \$101.9 million as at 31 March 2025. This is a \$4.5 million decrease on 30 June 2024 cash levels.

Cash fluctuates frequently over the year due to a number of factors, mainly due to the timing of when the rates instalments fall due. It is expected that cash levels will increase during May due to the fourth rates instalment due on 31 May.

Solvency Assessment

Council officers have reviewed Council's liquidity (Current Assets divided by Current Liabilities) at 31 March 2025 as 4.3. The Victorian Auditor General's Office (VAGO) recommends that this ratio be 1.5 or higher. This is a positive result and shows that Council is solvent.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Community consultation and engagement

Community consultation and engagement was not required for this report as it reflects the performance against the budget and delivery of the capital works program.

Affected persons rights and interests

Before making a decision that affects a person's rights, Council must identify whose rights may be directly affected and provide an opportunity for that person (or persons) to convey those views regarding the effect on their rights and consider those views. There are no individual rights or interests affected.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The overall corporate objective is to deliver the 2024-25 budget with the best possible outcome for Council and the community and in line with the approved revised forecast targets.

7. Implementation

The financial position of Council will continue to be monitored and managed. The progress of the capital works program will continue to be monitored and managed.

Attachment/s

- 1 Council Monthly Financial Management Report - March 2025 D25/196085



Council Monthly Financial Management Report

9 Months Ended March 2025

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Executive Summary

Operating Performance

For the nine months ended 31 March 2025, Council recorded an operating surplus of \$86.3 million which is \$14.0 million (19%) more than the year to date (YTD) budget of \$72.2 million. This comprises total revenue of \$259.7 million which is \$12.8 million (5%) more than the YTD budget of \$246.9 million and total expenditure of \$173.5 million which is \$1.2 million (1%) favourable compared to the YTD budget of \$174.7 million.

Income Statement	YTD Actuals \$'000	YTD Budget \$'000	YTD Variance \$'000	YTD Variance %	Annual Budget \$'000	Annual Forecast \$'000	Annual Variance \$'000
Total Revenue	259,743	246,944	12,799	5%	275,568	285,867	10,299
Total Expenses	173,478	174,726	1,248	1%	235,890	238,639	(2,750)
Surplus/(Deficit)	86,265	72,218	14,047	19%	39,679	47,228	7,549

YTD favourable variance in revenue is driven by the \$4.7 million receipt of the state government contribution to the Level Crossings Removal Projects, \$4.2 million relating to the timing recognition of capital grants and \$1.5 million relating to the timing of receipt of Open Space Contributions. YTD favourable variance in expenses is primarily due to the temporary timing difference of \$3.9 million of Materials & Services expenditure, offset by \$1.5 million of unbudgeted asset write offs resulting from asset renewals.

Capital Works Program

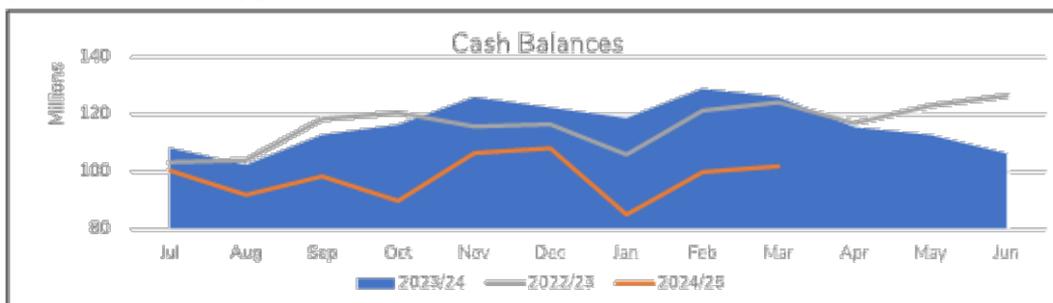
Council has spent \$68.1 million on capital expenditure to 31 March 2025 which is \$4.6 million (6%) less than the YTD budget, with \$24.6 million (26%) of the full year budget remaining. The variance is driven by underspends to budget for roads projects (\$4.4 million), footpaths & cycleways (\$1.8 million) and Parks, Open Space and Streetscapes (\$1.7 million), offset by an overspend to budget for land purchases (\$3.4 million).

Financial Results Summary	YTD Actuals \$'000	YTD Budget \$'000	YTD Variance \$'000	YTD Variance %	Annual Budget \$'000	Annual Forecast \$'000	Annual Variance \$'000
New asset expenditure	19,698	16,854	(2,844)	(17%)	20,204	26,364	(6,160)
Asset renewal expenditure	37,061	42,183	5,122	12%	53,512	55,712	(2,200)
Asset upgrade expenditure	11,384	13,685	2,302	17%	18,984	20,153	(1,169)
Total capital works expenditure	68,143	72,722	4,579	6%	92,701	102,229	(9,528)

Cash & Investments

Cash assets are \$101.9 million at 31 March 2025. This is a decrease of \$4.5 million on 30 June 2024 cash levels, mainly as a result of both a property purchase, reimbursement of the fire services property levy back to state government as well as an on-track spend against the capital works program. Cash fluctuates frequently over the year due to a number of factors, mainly due to the timing of when the rates instalments fall due.

Of the \$101.9 million cash assets, \$41.8 million is convertible to cash in less than 60 days and \$75.1 million (92%) is held in green investments. The portfolio is in compliance with Council policy which requires at least \$20.0 million to be convertible to cash and green investments to make up greater than 70% of all investments.



Procurement

The compliance report shows the number of invoices paid on time at a rate of 74%. There was one outstanding procurement breach at 31 March 2025; a panel contract which will be retendered during May. There were 6 contracts approved under delegation during March 2025.

Operating Performance

Income Statement

YTD Variance (\$)		YTD Variance (%)	
▲	≥ \$500k	▲	≥ 10%
■	< \$500k & ≥ (\$500k)	■	< 10% & ≥ (10%)
▼	< (\$500k)	▼	< (10%)

Income Statement	Notes	YTD Actuals \$'000	YTD Forecast \$'000	YTD Variance \$'000	YTD Variance %	Annual Budget \$'000	Annual Forecast \$'000	Annual Variance \$'000
Revenue								
Rates and charges		194,364	194,391	■ (28)	(0%)	194,037	194,491	454
Statutory fees and fines		13,757	13,883	■ (126)	(1%)	18,436	18,258	(178)
User Fees		6,559	6,805	■ (246)	(4%)	8,594	9,656	1,061
Contributions - Monetary		8,236	8,506	■ (270)	(3%)	9,056	11,017	1,961
Grants - Operating		17,525	17,553	■ (29)	(0%)	22,879	21,944	(935)
Grants - Capital	1	4,189	3,274	▲ 915	28%	11,928	12,917	988
Other Revenue		14,685	14,724	■ (39)	(0%)	10,547	17,121	6,574
Asset Sales		-	-	■ -	0%	90	62	(27)
Total Revenue		259,743	259,538	■ 204	0%	275,568	285,867	▲ 10,299
Expenses								
Employee Benefits		82,788	82,813	■ 25	0%	111,824	114,628	(2,804)
Contracts, Materials & Services	2	54,618	56,152	▲ 1,534	3%	78,247	77,293	955
Depreciation		29,179	29,230	■ 51	0%	40,890	40,146	744
Amortisation		177	177	■ 0	0%	236	236	0
Bad and doubtful debts		2,676	2,736	■ 60	2%	3,064	3,501	(436)
Net loss on disposal of assets	3	2,971	1,213	▼ (1,758)	(145%)	(0)	1,213	(1,213)
Finance Costs		631	642	■ 11	2%	869	887	(17)
Other Expenses		438	461	■ 24	5%	758	735	23
Total Expenses		173,478	173,425	■ (53)	(0%)	235,890	238,639	▼ (2,750)
Net Result		86,265	86,113	■ 152	0%	39,679	47,228	▲ 7,549

Notes

Revenue

1. Grants Capital ended \$0.9 million (28%) favourable primarily due to the timing of receipt of grant funding for Fawkner Leisure Centre Redevelopment (\$0.3 million), Oak Park Kindergarten (\$0.2 million) and Derby St Kindergarten (\$0.1 million).

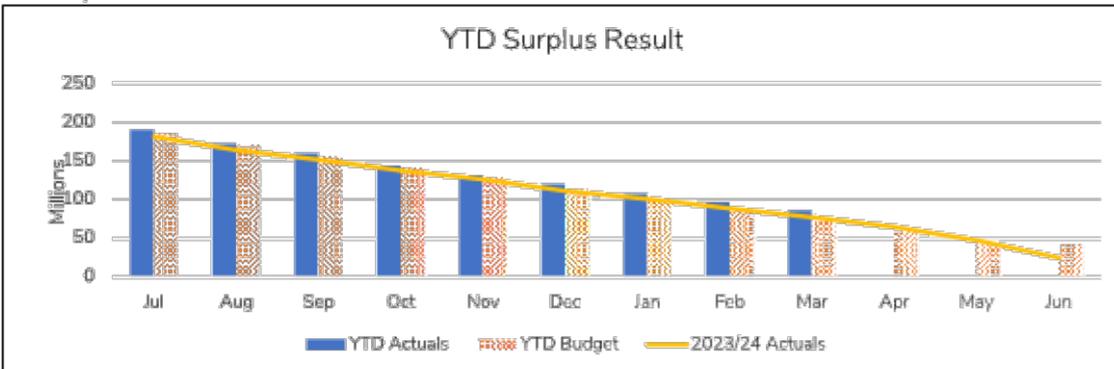
Expenses

2. Contracts, Materials & Services ended \$1.5 million (3%) favourable primarily due to later than anticipated payment to VEC for provision of Council electoral services (temporary timing \$1.1 million).

3. Net Loss on Disposal of Assets ended \$1.8 million (145%) unfavourable due to recognition of asset book value write-offs occurring as a result of capitalisation of recently completed asset renewal projects across roads, footpaths and drainage.

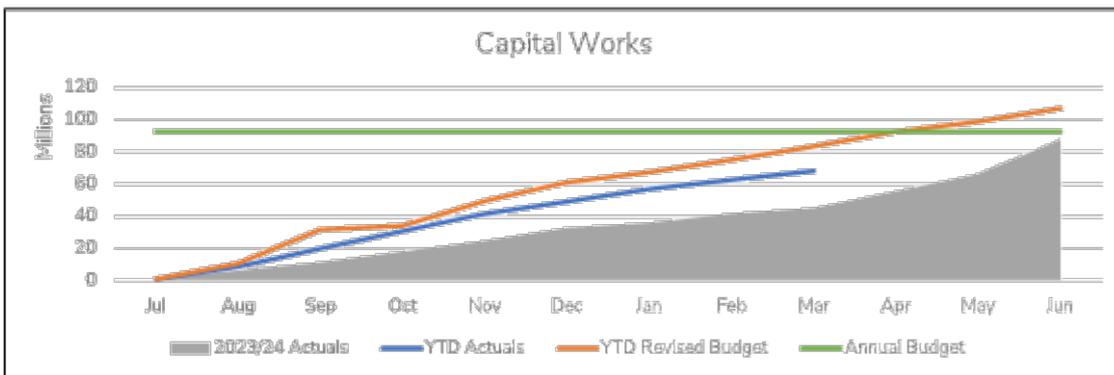
YTD Operating Result

YTD surplus result is impacted by total rates being recognised in July and the surplus will reduce progressively over the course of the financial year.



Capital Works

Council has spent \$68.1 million on capital expenditure to 31 March 2025 which is \$5.9 million (8%) lower than the YTD revised forecast, with \$24.6 million (27%) of the full year budget remaining. The capital revised forecast of \$102.2 million reflects \$67.6 million of expenditure from the adopted 2024-25 budget, \$41.4 million of carry forwards from 2023-24, projects requiring additional funding of \$23.4 million, and funding for projects brought forward from 2025-26 and 2026-27 of \$4.6 million less \$24.0 million of carry forwards into 2025-26 and project savings of \$9.7 million.

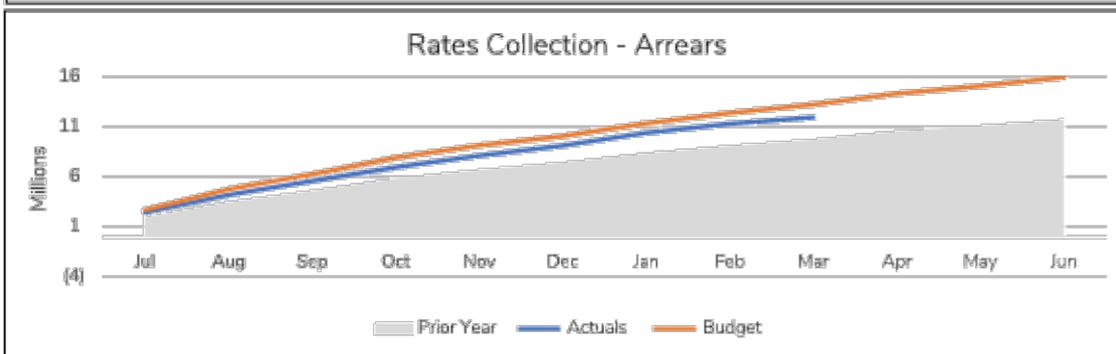
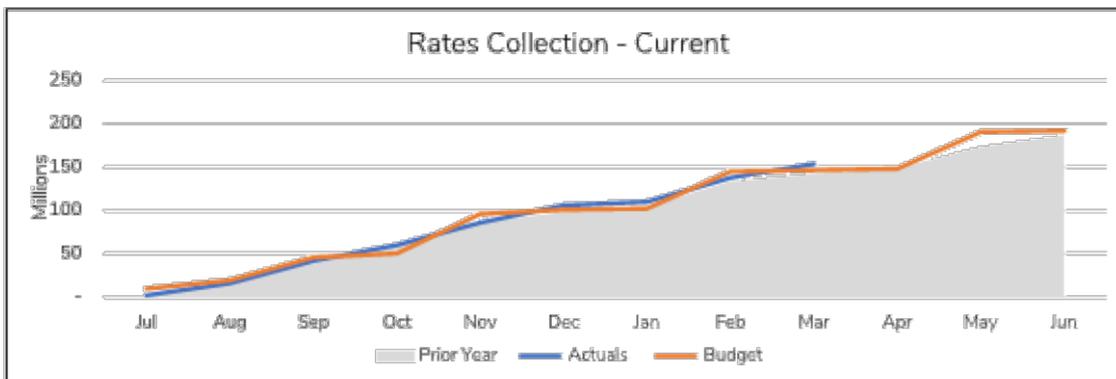


Debtors



Rates Collection

Rates cash collections are on budget and will be monitored over the upcoming months for impact on the forecast cash balances.



Investments

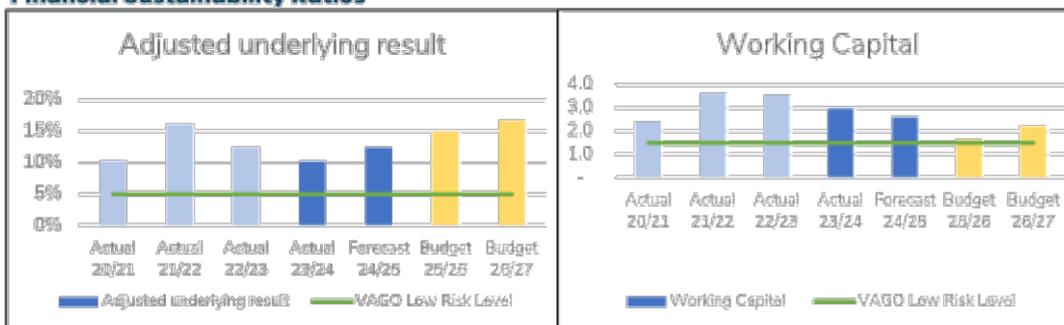
Of the \$101.9 million cash assets, \$41.8 million is convertible to cash in less than 60 days and \$75.1 million (92.6%) is held in green investments. The portfolio is in compliance with Council policy which requires at least \$20.0 million to be convertible to cash and green investments to make up greater than 70% of all investments.

Bank	Maturity Date	Green %	Interest Rate %	S & P short term rating	Amount \$'000	Ratio %
Minor Cash*	N/A		N/A	N/A	86	
Westpac	N/A		4.70%	A-1+	10,047	
Westpac	N/A		4.80%	A-1+	10,674	
ME Bank - 4	2/04/2025	100%	4.95%	A-2	10,118	24.8%
ME Bank - 3	11/06/2025	100%	4.45%	A-2	10,000	
CBA - 4	2/04/2025		4.85%	A-1+	6,000	7.4%
Bendigo Bank - 4	20/05/2025	100%	4.90%	A-2	4,000	17.3%
Bendigo Bank - 4	24/07/2025	100%	4.60%	A-2	10,000	
Suncorp - 3	3/06/2025	100%	4.48%	A-1	11,000	13.6%
IMB - 3	6/05/2025	100%	4.55%	A-2	10,000	24.7%
IMB - 3	4/04/2025	100%	4.90%	A-2	10,000	
Westpac - 6	11/04/2025	100%	4.95%	A-1+	4,000	12.3%
Westpac - 6	3/06/2025	100%	4.96%	A-1+	6,000	
Total		93%			101,925	100.0%
Green					75,118	92.6%

* Minor cash includes NAB holding account and Petty Cash

Financial Sustainability

Financial Sustainability Ratios

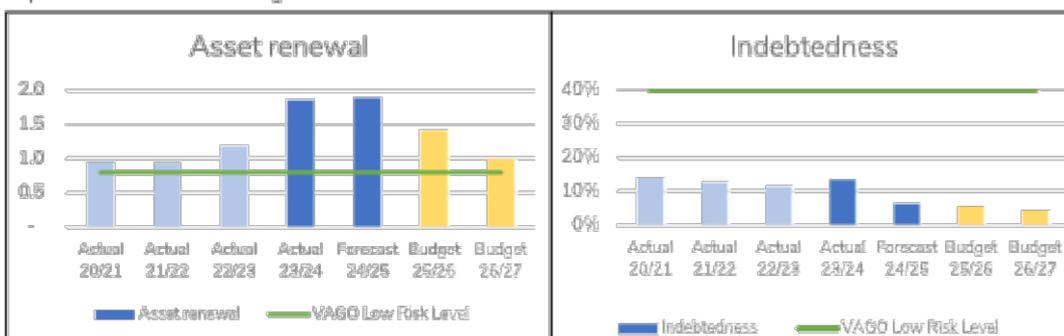


Adjusted underlying surplus (deficit) / adjusted underlying revenue

This ratio measures an entity's ability to generate its own cash. A positive result indicates a surplus, and the larger the percentage, the stronger the result. The result highlights Council's challenges in generating enough cash to fund future capital works without borrowing.

Current assets / current liabilities

Compares current assets to current liabilities, which provides a measure of the ability to pay existing liabilities in the next 12 months. This year's result expected to be in the low-risk range.



Renewal & upgrade spend/ depreciation

Ratios higher than 1.0 indicate that spending on existing assets is faster than the depreciation rate. This year's result is expected to stay in the low-risk range.

Non-current liabilities / own-source revenue

Measures Council's ability to pay the principal and interest on its borrowings as due from the funds it generates. This year's result is expected to stay in the low-risk range.

Treasury Corporation of Victoria (TCV)

TCV loan requirements		Target	Forecast
Interest Cover	EBITDA/Interest Expense	> 2	▲ 96
Interest Bearing Loans	Interest Bearing Liabilities/Own Source Revenue	< 60%	▲ 11%

TCV financing is conditional upon the Council maintaining a sustainable financial position when measured by the interest cover and interest bearing loans ratios. Forecast results indicate that the Council is meeting the minimum requirements. TCV loan requirements are well within target given limited borrowing compared to own source revenue and liability obligations.

Standard Statements

Comprehensive Income Statement

Comprehensive Income Statement	YTD Actuals \$'000	YTD Forecast \$'000	YTD Variance \$'000	Annual Budget \$'000	Annual Forecast \$'000	Annual Variance \$'000
Revenue						
Rates and charges	194,364	194,391	(28)	194,037	194,491	454
Statutory fees and fines	13,757	13,883	(126)	18,436	18,258	(178)
User Fees	6,559	6,805	(246)	8,594	8,656	1,061
Contributions - Monetary	8,236	8,506	(270)	9,056	11,017	1,961
Contributions - Non-monetary	428	401	27	-	401	401
Grants - Operating	17,525	17,553	(29)	22,879	21,944	(935)
Grants - Capital	4,189	3,274	915	11,928	12,917	988
Other Revenue	14,685	14,724	(39)	10,547	17,121	6,574
Asset Sales	-	-	-	90	62	(27)
Total Revenue	259,743	259,538	204	275,568	285,867	10,299
Expenses						
Employee Benefits	82,788	82,813	25	111,824	114,628	(2,804)
Contracts, Materials & Services	54,618	56,152	1,534	78,247	77,293	955
Depreciation	29,179	29,230	51	40,890	40,146	744
Amortisation	177	177	0	236	236	0
Bad and doubtful debts	2,676	2,736	60	3,064	3,501	(436)
Net loss on disposal of assets	2,971	1,213	(1,758)	(0)	1,213	(1,213)
Finance Costs	631	642	11	869	887	(17)
Other Expenses	438	461	24	758	735	23
Total Expenses	173,478	173,425	(53)	235,890	238,639	(2,750)
Surplus/(Deficit) for the year	86,265	86,113	152	39,679	47,228	7,549

Underlying Result	YTD Actuals \$'000	YTD Forecast \$'000	YTD Variance \$'000	Annual Budget \$'000	Annual Forecast \$'000	Annual Variance \$'000
Surplus for the Year	86,265	86,113	152	39,679	47,228	7,549
Other Comprehensive Income						
Net asset revaluation	-	-	-	290	290	-
Total Comprehensive Result	86,265	86,113	152	39,969	47,518	7,549
Non Operating Income and Expenditure						
Net loss on disposal of assets	2,971	1,213	1,758	(90)	1,150	1,240
Contributions Capital (cash & non-monetary)	(321)	(303)	(18)	(56)	(885)	(829)
Grants - Capital	(4,189)	(3,274)	(915)	(11,928)	(12,917)	(988)
PRRLF Reserve	(7,573)	(7,866)	293	(9,000)	(10,135)	(1,135)
DGP Reserve	(342)	(337)	(4)	-	(397)	(397)
Net asset revaluation	-	-	-	(290)	(290)	-
Total Capital Income	(9,455)	(10,567)	1,113	(21,073)	(23,184)	(2,109)
Underlying Result	76,810	75,546	1,264	18,606	24,046	5,440
Less:						
Loan Principal Repayments	1,439	1,439	-	2,071	1,997	74
Additional Rates Funded CAPEX	(6,281)	(6,281)	-	3,373	(8,375)	11,748
Transfers to Reserves - Operating	464	440	(24)	15,350	16,035	(685)
Transfers from Reserves - Operating	-	-	-	(2,189)	(2,726)	537
Carry Forwards processed into FY26	15,958	15,958	-	-	15,958	(15,958)
Total Transfers & Other	11,580	11,556	(24)	18,605	22,890	(4,286)
Unrestricted Surplus/(Deficit)	65,229	63,989	1,240	1	1,155	1,154

Statement of Financial Position

Statement of Financial Position	YTD Actuals \$'000	30/06/24 Actuals \$'000	Movement Inc/(Dec) \$'000	Annual Budget \$'000	Annual Forecast \$'000	Annual Variance \$'000
Current assets						
Cash and cash equivalents	41,806	22,387	19,419	45,874	45,152	(722)
Trade and other receivables	94,679	44,236	50,443	39,222	39,241	19
Other financial assets	60,118	84,000	(23,882)	70,000	70,000	-
Inventories	687	659	28	252	252	-
Prepayments	1,345	2,429	(1,084)	-	-	-
Non-current assets classified as held for sale	2,119	11,019	(8,901)	-	-	-
Other assets	4,764	2,208	2,556	2,976	2,976	-
Total current assets	205,519	166,940	38,580	158,324	157,621	(703)
Non-current assets						
Unlisted Shares	2	2	-	2	2	-
Property, infrastructure, plant and equipment	2,850,222	2,811,429	38,793	3,104,130	3,113,590	9,460
Right-of-use assets	758	600		475	475	-
Investments	37,225	36,024	1,201	29,267	29,267	-
Total non-current assets	2,888,207	2,848,054	39,994	3,133,874	3,143,334	9,460
Total assets	3,093,726	3,014,994	78,574	3,292,198	3,300,955	8,757
Current liabilities						
Payables						
Payables	21,976	18,751	3,226	15,082	15,082	-
Revenue Received in Advance	2,404	6,898	(4,494)	1,851	1,851	-
Provisions	20,676	22,194	(1,519)	28,014	28,450	436
Interest Bearing Loans and Borrowings	1,997	1,997	-	14,274	14,212	(62)
Trust Funds & Deposits	1,170	6,092	(4,922)	1,839	1,839	-
Lease liabilities	3	109	(106)	-	-	-
Total current liabilities	48,227	56,042	(7,815)	61,059	61,434	374
Non-current liabilities						
Provisions	2,494	2,603	(109)	2,310	2,310	-
Interest-bearing liabilities	26,381	27,127	(746)	12,776	13,609	833
Lease liabilities	252	20	232	-	-	-
Trust Funds & Deposits	694	694	-	-	-	-
Total non-current liabilities	29,821	30,444	(622)	15,086	15,919	833
Total liabilities	78,048	86,486	(8,438)	76,145	77,353	1,207
Net assets	3,015,679	2,928,509	87,170	3,216,053	3,223,602	7,549
Equity						
Asset revaluation reserves	2,066,293	2,066,206	87	2,266,398	2,266,398	-
Other reserves	79,823	76,570	3,253	45,617	63,684	18,067
Accumulated surplus	869,563	785,733	83,830	904,037	893,519	(10,518)
Total equity	3,015,679	2,928,509	87,170	3,216,053	3,223,602	7,549

Statement of Cashflows

Statement of Cash Flows	YTD	Annual	Annual	Annual
	Actuals	Budget	Forecast	Variance
	\$'000	\$'000	\$'000	\$'000
	Inflows	Inflows	Inflows	Inflows
	(Outflows)	(Outflows)	(Outflows)	(Outflows)
Cash flows from operating activities				
Rates and charges	143,627	192,295	192,727	432
Statutory fees and fines	8,999	15,710	15,535	(175)
User fees	4,437	21,064	22,126	1,061
Grants - operating	17,475	22,585	21,650	(935)
Grants - capital	4,922	10,752	11,740	988
Contributions - monetary	8,271	9,056	11,017	1,961
Interest received	4,310	4,014	4,651	638
Trust funds and deposits taken	25,171	15,225	15,225	-
Other receipts	10,786	5,718	11,655	5,937
Net GST refund/(payment)	1,073	7,274	7,274	-
Payments to Employees	(85,274)	(108,154)	(110,956)	(2,804)
Payments to Suppliers	(59,794)	(87,649)	(86,694)	955
Trust funds and deposits repaid	(19,135)	(15,225)	(15,225)	-
Other payments	(479)	(3,822)	(3,799)	23
Net cash (used in) / provided by operating activities	64,389	88,842	96,921	8,080
Cash flows from investing activities				
Payments for property, infrastructure, plant and equipment	(68,604)	(92,701)	(102,229)	(9,528)
Proceeds from sale of property, infrastructure, plant and equipment	(1,128)	90	63	(27)
Payments/(Proceeds) for investments	2,882	5,900	5,900	-
Net cash used in investing activities	(66,850)	(86,711)	(96,266)	(9,556)
Cash flows from financing activities				
Finance costs	(631)	(869)	(686)	(17)
Repayment of borrowings	(1,440)	(2,071)	(1,997)	74
Repayment of lease liabilities	127	-	-	-
Net cash used in financing activities	(2,002)	(2,940)	(2,684)	56
Net increase/(decrease) in cash held	(4,463)	(809)	(2,229)	(1,420)
Cash at beginning of period	22,387	46,683	22,367	(24,296)
Cash at end of period	17,925	45,874	20,159	(25,716)
Cash Position				
Non-restricted Cash at 1 July 2024	22,387	46,683	22,367	(24,296)
Other Financial Assets at 1 July 2024	84,000	75,900	84,000	8,100
Cash & cash equivalents at beginning of financial year	106,387	122,583	106,367	(16,196)
Non-restricted Cash at end of financial period	41,806	45,874	45,152	(722)
Other Financial Assets at end of financial period	60,118	70,000	70,000	-
Cash & cash equivalents at end of financial period	101,925	115,874	115,152	(722)

Statement of Capital Works

Statement of Capital Works	YTD Actuals \$'000	YTD Forecast \$'000	YTD Variance \$'000	Annual Budget \$'000	Annual Forecast \$'000	Annual Variance \$'000
Property						
Land	3,423	3,409	(14)	-	3,245	(3,245)
Buildings	26,816	27,696	879	28,133	30,096	(1,963)
Building Improvements	3,105	3,371	266	6,985	6,720	265
Total property	33,344	34,475	1,131	35,119	40,061	(4,942)
Plant and equipment						
Plant, machinery and equipment	3,975	4,075	100	3,962	5,175	(1,213)
Fixtures, Fittings and Furniture	129	129	0	339	189	150
Computers and telecommunications	731	719	(13)	745	950	(206)
Artworks	47	54	8	44	54	(10)
Library books	799	840	42	1,082	1,082	-
Total plant and equipment	5,680	5,817	137	6,172	7,451	(1,279)
Infrastructure						
Roads	11,801	13,627	1,826	18,877	20,576	(1,699)
Bridges	119	101	(19)	1,411	372	1,040
Footpaths and cycleways	1,578	1,473	(105)	4,600	3,628	973
Drainage	1,299	1,343	44	1,439	3,681	(2,243)
Waste management	60	110	50	212	545	(333)
Parks, open space and streetscapes	13,527	16,363	2,836	23,610	24,656	(1,046)
Other infrastructure	734	776	42	1,261	1,261	0
Total infrastructure	29,118	33,794	4,675	51,410	54,718	(3,307)
Total capital works expenditure	68,143	74,086	5,943	92,701	102,229	(9,528)
Represented by:						
New asset expenditure	19,698	20,621	923	20,204	26,364	(6,160)
Asset renewal expenditure	37,061	40,710	3,649	53,512	55,712	(2,200)
Asset expansion expenditure	-	-	-	-	-	-
Asset upgrade expenditure	11,384	12,755	1,372	18,984	20,153	(1,169)
Total capital works expenditure	68,143	74,086	5,943	92,701	102,229	(9,528)

Procurement reporting

Contracts approved under delegation

This includes a listing of all of the contracts entered under delegation for the month of March.

Contract Description	Contract	Start date	Delegation	Total Contract (excluding GST)
De Chene Reserve Pavilion - Consultancy for Architectural Services	RFQ-2024-108	17/03/2025	Manager	\$120,150.00
Balfie Park Sports Field Lighting Upgrade	RFQ-2024-118	11/03/2025	Director	\$198,180.70
Revitalising Coburg Precinct Framework	RFT-2024-56	7/03/2025	Director	\$325,108.00
Drainage Improvement - Sim Crescent & Victoria Street, Oak Park	RFT-2024-59	17/03/2025	CEO	\$500,289.60
Road Reconstruction - Montifere Street, Colong	RFT-2024-64	17/03/2025	CEO	\$560,269.00
PM Tool Replacement	ST-2024-2	17/03/2025	Council	\$1,037,289.00

7.9 GOVERNANCE REPORT - MAY 2025 - CYCLICAL REPORT

Director Business Transformation, Sue Vujcevic

Governance and Strategy

Officer Recommendation

That Council:

1. Notes the summary of minutes from the First Nations Advisory Committee to Council, at Attachment 1 to this report.
2. Endorses the recommendation of the First Nations Advisory Committee meeting held 31 March 2025, to consider the development of a Merri-bek Aboriginal and Torres Strait Islander Strategy.
3. Notes the recommendation of the First Nations Advisory Committee meeting held 31 March 2025, to allocate \$500,000 in the 2025/26 Council budget for the Ballerit Mooroop gathering place, to match the \$500,000 being sought from the State Government.
4. Notes the Records of Meetings, at Attachment 2 to this report.
5. Notes responses to questions taken on notice during Public Question Time at the 12 February and 9 April 2025 Council meetings, provided at Attachment 3.

REPORT

Executive Summary

The Governance report is prepared as a monthly standing report to Council which provides a single reporting platform for a range of statutory compliance, transparency, and governance related matters.

This Governance report includes:

- A summary of the minutes of the First Nations Advisory Committee held 31 March 2025 and the associated recommendations from the committee.
- Records of Meetings, with a recommendation that Council notes the records.
- Responses to Public Question Time items taken on notice at 12 February and 9 April 2025 Council meetings, with a recommendation that Council notes the responses.

Previous Council Decisions

Nil.

1. Policy Context

Reports from Advisory Committees to Council are provided in accordance with the Terms of Reference.

The *Local Government Act 2020* (the Act) and the Governance Rules set out the requirements for keeping and reporting records of meetings held under the auspices of Council.

Council's Governance Rules contains provisions which enable the Chairperson to take a question On Notice, with a considered written response being provided to the questioner, in circumstances including where the question requires information that is either not available or accessible at the time of that meeting, or where the time allowed for Public Question Time has elapsed.

2. Background

The Governance Report is prepared as a monthly report to Council to provide a single reporting platform for a range of statutory compliance, transparency, and governance related matters.

In accordance with best practice principles and good governance practice, and to ensure compliance with the requirements of the Act, this report incorporates matters including reporting of Advisory Committees, records of meetings held under the auspice of Council, items relating to the delegation of Council powers and duties, and policy and strategy reporting.

3. Issues

Advisory Committee minutes

A summary of the minutes of the First Nations Advisory Committee held 31 March 2025 is provided at **Attachment 1** for Council's information. The Committee recommends Council develops a Merri-bek Aboriginal and Torres Strait Islander Strategy; and allocates matching funding of \$500,000 in the 2025/26 Budget for Ballerit Mooroop gathering place.

Records of Meetings held under the auspice of Council

Records of matters discussed at meetings organised or hosted by Merri-bek that involve Councillors and Council officers are kept in accordance with the Governance Rules.

Meeting Records must include meeting attendees, including organisations represented by external presenters; the title of matters discussed; and any conflicts of interests disclosed and whether the declarant of a conflict of interests recused themselves from the meeting.

Some examples include Councillor Briefings, meetings with residents/developers/clients/organisations/Government departments/statutory authorities and consultations.

Records of Meetings received since the previous Council Meeting are presented at **Attachment 2** as follows:

- Councillor Briefing – 7 April 2025
- Councillor Briefing – 14 April 2025
- Councillor Workshop - 16 April 2025
- Central Coburg Oversight Committee - 28 April 2025.

Responses to Questions taken On Notice at Council meetings

At Council Meetings, questions are taken On Notice during Public Question Time, where persons submitting questions are not in attendance or where the maximum allowable time for public questions has elapsed.

Questions taken On Notice are provided with a written response following the meeting for which they are submitted and reported to Council at the next practicable meeting. The subject matter of questions taken on notice are recorded in the meeting minutes.

The responses to questions taken On Notice at **Attachment 3** to this report relate to questions from 12 February and 9 April 2025 Council meetings regarding:

- Donations in Council owned carparks
- Tree pits in narrow footpaths
- Sussex Street and Boundary Road intersection
- Rainbow Crossings - Sites for Consultation
- Painting on side of building on Sydney Road, Coburg
- Electrical Capacity at Hadfield Operations Centre
- Heavy vehicle electrification as against hydrogen fuel cells.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.

4. Community consultation and engagement

Advisory committees provide a valuable communication and consultation link between the organisation, Councillors, Council, and the community.

5. Officer Declaration for a Conflict of Interests

Council officers involved in the preparation of this report have no conflicts of interest in the matters contained therewith.

6. Financial and Resources Implications

There are no financial implications associated with this report.

7. Implementation

Governance activity, including reports of Committees to Council, Records of Meetings and Community Question Time items will continue to be reported to Council monthly.

Attachment/s

- | | | |
|---|--|------------|
| 1 | Reports from Advisory Committees to Council - May 2025 | D25/220531 |
| 2 | Records of Meetings - May 2025 | D25/218748 |
| 3 | Responses to questions taken On Notice - May 2025 | D25/220497 |

MERRI-BEK FIRST NATIONS ADVISORY COMMITTEE

A report of the Merri-bek First Nations Advisory Committee meeting held on 31 March 2025 are provided for Council's information.

Councillors appointed to the Merri-bek First Nations Advisory Committee: Cr Sue Bolton

Key Items Discussed

- **Aboriginal and Torres Strait Islander Strategy:** The committee discussed the need for new public Aboriginal and Torres Strait Islander Strategy following up on July 2024 discussions. Officers presented an overview of existing budgets across various First Nations programs covering Cultural Heritage & Water Management, Advisory & Consultations, Arts, Culture, Events & Celebrations, Training & Education, and the Ballert Mooroop program. Key concerns included improving community feedback mechanisms, recognizing diversity, and establishing accountability in consultations. The committee noted a need for a more organized process with appropriate timing to meet council deadlines.
- **Treaty and Truth Initiatives:** Officers reported on the newly re-developed section of Moonee Ponds Creek in Oak Park and potential regional council participation in treaty negotiations. While Traditional Owner treaties are not yet ready for immediate Local Government involvement, the Council will continue educating communities about the treaty's impact. Members stressed the importance of informing people about the treaty's meaning due to current misunderstandings.
- **Ballert Mooroop Project:** The update highlighted the need for additional funding, especially if State Government grants are not secured. Concerns were raised about land availability, security, and the need for a backup plan. The local Traditional Owners expressed hesitancy about public announcements before being fully informed. A formation meeting for a new local organization was scheduled for 12 April 2025 to address service gaps and connect the community.
- **First Peoples Employment Program:** Officers reported 19 of 28 action items completed, 2 in progress, and 7 planned for the next iteration. The First Peoples' Working Group continues delivering cultural awareness training through an annual calendar. First Peoples staff numbers increased since July 2023, with ongoing support for employee wellbeing, performance, and career advancement.
- **Relationship Building:** Members emphasised the importance of annual gatherings with Councillors to build knowledge and advocate for budget ideas. The committee discussed the need for stronger relationships with all Councillors, including better induction processes for new members and informing them of past events.
- **Cultural Projects:** Updates included the Ronald Bull mural conservation work scheduled for the next 3-4 weeks with planned site visits. Concerns were raised about consultation timing for the Coburg Historical Society building renovation, which will include a First Nations Garden with sentiment that consultation is happening too late in the process.

Disclosures of Conflict of Interest

No conflict of interest was disclosed at the meeting.

Committee Recommendation

The Merri-bek First Nations Advisory Committee recommends:

1. Council develop a Merri-bek Aboriginal and Torres Strait Islander Strategy.

This Strategy is to be created collaboratively with Traditional Owners, First Peoples Organisations, and the First Peoples community to progress self-determination. The Merri Bek First Nations Advisory Committee is to guide its development and implementation through clear coordination, ensuring adequate resources for collaboration and partnerships. The Strategy will support joint proposals and shared accountability with measurable outcomes reported annually. Importantly, the Advisory Committee is to be included in all key stages of Council strategic planning and budgeting.

2. Council allocates matching funding of \$500,000 from Council in the 2025/26 budget for Ballert Mooroop gathering place.

It is estimated that the total cost of fully activating Ballert Mooroop Gathering Place will be \$1,000,000. \$500,000 has been sought from the State Government in the 2025/26 budget. Our goal is to secure a total of \$1,000,000 to fully activate the Ballert Mooroop site as a First Peoples gathering place, enabling the installation of a temporary building, essential infrastructure, and culturally significant design features. While we aim to achieve this full funding through matching contributions, we must secure at least \$500,000 in total from either source, or a combination, to ensure the basic establishment of the gathering place and advance our key objectives for the Wurundjeri Woi-wurrung and the local First Peoples community.

Attachment/s

There are no attachments for this report.

Record of Meeting

Meeting: Councillor Briefing

Date: 7 April 2025

Meeting time: 6.00pm – 8.00pm



This Record is kept in accordance with the Governance Rules adopted by Council most recently on 10 April 2024.

Rule 9.1 provides that a record of the matters discussed at all **Hearing of Submission Meetings, Advisory Committee Meetings and Councillor Briefings** organised or hosted by Council will be kept.

The record will include the attendees at the meeting, including the organisations represented by external presenters, the title of matters discussed and any conflicts of interest disclosed and whether the person with the conflict of interest left the meeting.

Attendees	
Councillors	Cr Helen Davidson, Mayor Cr Nat Abboud Cr Liz Irvin Cr Ella Svensson Cr Adam Pulford Cr Chris Miles Cr Oscar Yildiz JP Cr Jay Iwasaki Cr Katerine Theodosis
Apologies	Cr Sue Bolton Cr Helen Politis, Deputy Mayor
Council Staff (name and position)	<ul style="list-style-type: none"> • Cathy Henderson, Chief Executive Officer • Anita Curnow, Director City Infrastructure • Eamonn Fennessy, Director Community • Pene Winslade, Director Place and Environment • Sue Vujcevic, Director Business Transformation
External participants	Nil

Items discussed	Conflict disclosed by, general or material and the nature	Left meeting
1 Council meeting agenda	1 Cr Nat Abboud 2. General 3. Nature of the conflict: Regarding report 7.4 McDonald Reserve (was formerly on Coburg High School Council)	No – did not leave briefing, however this report was not discussed

Name and title of Council officer completing record: Sue Vujcevic, Director Business Transformation

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Record of Meeting

Meeting: Councillor Briefing

Date: 14 April 2025

Meeting time: 6.00pm – 8.00pm



This Record is kept in accordance with the Governance Rules adopted by Council most recently on 10 April 2024.

Rule 9.1 provides that a record of the matters discussed at all **Hearing of Submission Meetings, Advisory Committee Meetings and Councillor Briefings** organised or hosted by Council will be kept.

The record will include the attendees at the meeting, including the organisations represented by external presenters, the title of matters discussed and any conflicts of interest disclosed and whether the person with the conflict of interest left the meeting.

Attendees	
Councillors	Cr Helen Davidson, Mayor Cr Nat Abboud Cr Liz Irvin Cr Ella Svensson Cr Chris Miles Cr Katerine Theodosis Cr Jay Iwasaki
Apologies	Cr Adam Pulford Cr Oscar Yildiz JP Cr Helen Politis
Council Staff (name and position)	<ul style="list-style-type: none"> • Cathy Henderson, Chief Executive Officer • Anita Curnow, Director City Infrastructure • Indivar Dhakal, Acting Director Community • Pene Winslade, Director Place and Environment • Sue Vujcevic, Director Business Transformation • Jemma Wightman, Chief Financial Officer • Vaughn Allan, Acting Manager Transport • Richard Tolliday, Acting Unit Manager Transport Planning • Zoe McMaster, Strategic Transport Lead • Lachlan McGowan, Project Manager • Phil Priest, Group Manager City Development
External participants	Nil

	Items discussed	Conflict disclosed by, general or material and the nature	Left meeting
1	Special Council Meeting 16 April Agenda - Budget	-	
2	CERES funding agreement	-	
3	30km/h speed limit trial	-	

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	Items discussed	Conflict disclosed by, general or material and the nature	Left meeting
4	Shared e-bike and e-scooter update	-	
5	Brunswick Level Crossings Removal Project – Memorandum of Understanding	-	

Name and title of Council officer completing record: Sue Vujcevic, Director Business Transformation

This form is kept in accordance with the Information Privacy Principles and Merri-bek City Council's Privacy Policy and practices as stated on Merri-bek's [website](#).

Record of Meeting

Meeting: Councillor Workshop

Date: 16 April 2025

Meeting time: 7.00pm – 9.00pm



This Record is kept in accordance with the Governance Rules adopted by Council most recently on 10 April 2024.

Rule 9.1 provides that a record of the matters discussed at all **Hearing of Submission Meetings, Advisory Committee Meetings and Councillor Briefings** organised or hosted by Council will be kept.

The record will include the attendees at the meeting, including the organisations represented by external presenters, the title of matters discussed and any conflicts of interest disclosed and whether the person with the conflict of interest left the meeting.

Attendees	
Councillors	Cr Helen Davidson, Mayor Cr Nat Abboud Cr Liz Irvin Cr Ella Svensson Cr Chris Miles Cr Katerine Theodosis Cr Jay Iwasaki Cr Oscar Yildiz JP
Apologies	Cr Adam Pulford Cr Helen Politis (LOA) Cr Sue Bolton (LOA)
Council Staff (name and position)	<ul style="list-style-type: none"> • Cathy Henderson, Chief Executive Officer • Anita Cumow, Acting Director City Infrastructure • Indivar Dhakal, Acting Director Community • Sue Vujcevic, Director Business Transformation • Pene Winslade, Director Place and Environment • Peter Sagar, Program Director Central Coburg • Lisa Dempster, Manager Cultural Development • Bec Fitzgerald, Coburg Revitalisation Lead • Lachlan McGowan, Project Manager
External participants	2 representatives from MGS 3 representatives from Bridge 42

Items discussed	Conflict disclosed by, general or material and the nature	Left meeting
1. Introduction and purpose of workshop		
2. Probity, confidentiality and conflict of interest		
3. Central Coburg workshop		

Name and title of Council officer completing record: Peter Sagar, Program Director Central Coburg

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Record of Meeting

Meeting: Central Coburg Oversight Committee

Date: 28 April 2025

Meeting time: 4.30 – 5.30pm



This Record is kept in accordance with the Governance Rules adopted by Council most recently on 10 April 2024.

Rule 9.1 provides that a record of the matters discussed at all **Hearing of Submission Meetings, Advisory Committee Meetings** and **Councillor Briefings** organised or hosted by Council will be kept.

The record will include the attendees at the meeting, including the organisations represented by external presenters, the title of matters discussed and any conflicts of interest disclosed and whether the person with the conflict of interest left the meeting.

Attendees	
Councillors	Cr Helen Davidson, Mayor Cr Nat Abboud Cr Jay Iwasaki
Apologies	Cr Helen Politis, Deputy Mayor
Council Staff (name and position)	Cathy Henderson – CEO Pene Winslade – Director Place and Environment Eamonn Fennessy – Director Community Peter Sagar – Program Director Central Coburg
External participants	None

	Items discussed	Conflict disclosed by, general or material and the nature	Left meeting
1	Declaration of any conflicts of interest	-	
2	Reflections on Councillor Workshop 2 (16 April 2025)	-	
3	Councillor Workshop 3 (1 May 2025) and next steps	-	

Name and title of Council officer completing record: Peter Sagar – Program Director Central Coburg

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XRef: D25/52263
Doc. No. D25/100015
Enq: Bernadette Hetherington
Tel: 9240 1111

Mr Larry King

Dear Mr King

PUBLIC QUESTION TIME ON NOTICE RESPONSE FROM FEBRUARY 2025 COUNCIL MEETING

I write to you in response to your question submitted to the 12 February Council meeting regarding donations in Council owned carparks. You asked:

What can be done to stop Salvos donations being tampered with in the carpark owned by Council? It regularly looks like a rubbish tip.

Thank you for your interest in community engagement and public participation. Council regularly attends to dumped rubbish in the area behind the Salvation Army store in Glenroy. Our officers specifically clean the car park areas that are owned by Council. This includes the car park area between Pascoe Vale Road and the railway car park.

The Salvation Army also has active signage encouraging donations during certain time frames. Council Officers will visit the shop to work with the Salvos to see if this issue can be better addressed with a combined effort.

I trust this answered your question however, if you require any further information, please don't hesitate to contact Bernadette Hetherington on 9240 1111.

Yours sincerely

Anita Curnow
DIRECTOR CITY INFRASTRUCTURE

24 / 4 / 2025

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90 Bell Street, Coburg 3058
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merri-bek.vic.gov.au



XRef: D25/75299
Doc. No. D25/103838
Enq: Bernadette Hetherington
Tel: 8311 4300

Robert Lechte

Dear Mr Lechte

PUBLIC QUESTION TIME ON NOTICE RESPONSE FROM FEBRUARY 2025 COUNCIL MEETING

I write to you in response to your questions submitted to the 12 February Council meeting relating to tree pits associated with the new development at 4-6 Ballarat Street, Brunswick and Council's standards for street tree planting, as follows:

Question 1

Concerning the tree pits that obstruct the footpath outside the new developments in Ovens Street/Ballarat Street. Will you consider moving the tree pits off the footpath and onto the road space, or at least to the edge of the footpath space so that they are minimally compliant?

Question 2

In the interests of safety and respect of children, disabled people, and everybody else who uses footpaths, will you consider adopting a policy that forbids new street trees being planted into the footpath space, and instead plant them into the road space?

Thank you for your participation in public question time. The answers to your questions are set out below.

Answer to Question 1

Thank you for your question relating to tree pits constructed by a developer as part of the 4-6 Ballarat Street development.

In the form they were in at the time of your question, with square holes cut in the ground and temporary fencing around them, the tree pits restricted movement significantly. However, metal grates are now installed on the tree pits improving accessibility significantly.

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<p>لمعرفة المزيد بلغتك، اتصل بالرقم 9280 1913</p>	<p>Kendi dilinizde daha fazla bilgi edinmek için 9280 1914'ü arayın</p>	<p>Để tìm hiểu thêm bằng ngôn ngữ của bạn, hãy gọi 9280 1915</p>	

As part of the landscaping requirements attached to the planning permit for this site, Council specified the minimum clearance at 1.2m which is the distance in our guidelines. This distance is wider than the mandated distance in the Disability Discrimination Act (DDA) standards of 1.0m.

Council can withhold the bond for public works until the developer meets the minimum clearance.

To date, the measurements seem to suggest that the required clearance will be met. However ahead of tree planting, officers are working with the developer in an effort to have the trees planted as close as possible to the kerb to get the maximum possible clearance.

Even though a greater clearance would have been preferable, we do think the outcome will be significantly better with these trees than if we hadn't required them, as this addresses an urban heat island location.

- **Answer to Question 2**

It is commonplace for trees to be planted in footpaths across Merri-bek. While many streets have a nature strip that can accommodate trees, it is common in areas such as Ovens Street not to have a nature strip. According to our guidelines, trees in footpaths are only considered where Council is able to adhere to DDA clearance requirements. We also plant trees in roadway amongst parked cars in many locations. In constrained environments, we try to consider all the different users and look for optimal solutions.

I trust this answered your question however, if you require any further information, please don't hesitate to contact Bernadette Hetherington, Acting Manager Open Space and Environment on 9240 2463.

Yours sincerely



Anita Curnow

DIRECTOR CITY INFRASTRUCTURE

11/4/2025



XRef: D25/74399
Doc. No. D25/102358
Enq: Vaughn Allan
Tel: 9240 1111

Natasa Jovic



Dear Ms Jovic

PETITION AND PUBLIC QUESTION TIME ON NOTICE RESPONSE FROM FEBRUARY 2025 COUNCIL MEETING - MAKE THE BOUNDARY ROAD / SUSSEX STREET INTERSECTION SAFER

Thank you for your petition containing 697 signatures received and tabled at the Council meeting on 12 February 2025 asking council to make the Boundary Road and Sussex Street Intersection safer. I have attached the wording of your petition to the end of this letter for reference.

You also submitted questions on the same matter for Public Question Time, which were unable to be heard due to time constraints.

At the meeting, it was resolved that Council:

1. Receives the petition.
2. Refers the petition to the relevant Director for consideration and response.

Following consideration of the matter, I am responding to both the petition and your questions. As you are the lead petitioner, I trust the response will be passed on to the other signatories.

The questions you submitted to the 12 February Council meeting regarding the Sussex Street and Boundary Road Intersection relate directly to the petition and are as follows:

Question 1

Victorian Crash Data shows that the intersection of Sussex St and Boundary Road is one of the most hazardous intersections in the whole of Merri-bek. I note that the nearby Sussex St and Gaffney St intersection recently received a \$12 million major upgrade where the roundabout was replaced with traffic lights to make the intersection safer. However, the Sussex St and Boundary Road intersection, which is the focus of my petition, has had more injury crashes than the upgraded Sussex St and Gaffney St intersection. So, surely it too needs an upgrade.

I would like to ask the council if the Sussex St and Boundary Rd intersection is one that has been identified by council as a high-risk or "hot spot" intersection and therefore have there been any risk assessments conducted of this intersection.

Answer to Question 1

Boundary Road is an arterial road managed by the Victorian Government's Department of Transport and Planning. While Sussex Street is a council managed road, the legal jurisdiction for upgrades to the intersection and the traffic signal operations is managed by the state government. Therefore, council has not undertaken any crash assessments of this intersection.

Question 2

Have there been any discussions between council and the relevant state authorities or are there any planned actions to make the Sussex St and Boundary Rd intersection safer for the community?

Answer to Question 2

Council meets with the Department of Transport and Planning and Victoria Police to discuss all crashes that occur in Merri-bek and assess road safety trends. We work closely with the state government to assess whether council can support the state government in addressing road safety at intersections such as Boundary and Sussex through either infrastructure or enforcement.

We will raise this intersection as an area of concern at our next meeting with these agencies in the coming months, with reference to the specific safety issues raised in the petition.

If you require any further information, please don't hesitate to contact Vaughn Allan, Acting Manager Transport on 9240 1111.

Yours sincerely



Anita Curnow
DIRECTOR CITY INFRASTRUCTURE

11 / 04 / 2025

Attachment: Wording of Petition Received on 12/02/2025

(source: [Petition - Make the Boundary Rd/Sussex St intersection safer! - Glenroy, Australia - Change.org](#))

Drivers at this intersection are illegally using the left turn lane to go straight ahead (often at speed) going around cars who are waiting to turn right onto Sussex St from Boundary Rd (heading north, toward Hadfield).

This is creating a dangerous situation for oncoming cars who are waiting to turn right into Sussex St (heading south towards Gaffney St). There are many collisions and an increasing number of near-miss collisions that are very concerning.

Suggestions to improve this unsafe intersection include the installation of a right turn arrow (for those turning onto Sussex St, north towards Hadfield) OR change the lane markings - converting the right lane to 'right turn only'.

Please sign the petition to do your part to pressure the relevant authorities to action our communities demand for a safer intersection.



XRef: D25/193696
Doc. No. D25/198038
Enq: Vaughn Allan
Tel: 9240 1111

Mr Romeo De Lorenzis



Dear Mr De Lorenzis

PUBLIC QUESTION TIME ON NOTICE RESPONSE FROM APRIL 2025 COUNCIL MEETING

I write to you in response to your questions submitted to the 9 April Council meeting, as follows:

Question 1

1. Proposed Rainbow Crossing Site

1. Why are council officers recommending Councilors to endorse the eight location designs and installation of the Pride Flags Organisation on council roads or footpath for community engagement, without first informing the community of the intent?
 - a. What has it already cost the ratepayers? and what are the benefits of Rainbow flags on our roads or footpath, as it has nothing to do with neither Council infrastructure, repairs, maintenance or transport?
 - b. Why ain't the council requesting the Pride Flag Organisation promoting their organisation to pay permits, lease fees for the use of our roads, design, installation of the flag?

Why should Rate Payers foot the bill ?

Please note: We rate payers don't have deep pockets.

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Question 2 (edited for appropriateness of wording)

2. Why has council allowed Barry Plant real estate property limited located in Sydney Rd Coburg ... paint a massive 3.6 m x 8m Palestinian flag on the prominent north side wall ... of their building...?

Thank you for your interest in public participation. The answers to your questions are set out below.

Answer to Question 1

At the February Council meeting, Councillors resolved to direct officers to prepare a report for the April Council meeting that included a number of rainbow crossing locations suitable for public consultation.

The resolution from February 2025 includes a number of points including:

"Council seeks a report by April 2025 that identifies suitable locations on Council roads or footpaths with the aim of installing this design on two roads or footpaths and recommends an approach to community engagement to select the sites and final designs. "

Council could have resolved to determine a different engagement approach to the officer recommendation. However, the resolution made by Council at the meeting means that the engagement will not be seeking feedback as to whether the community support the proposal, just the preferred location of the treatments.

The benefit of painting a pride flag on a road or footpath is a symbolic gesture of inclusivity for people who identify as part of the LGBTQIA+ community. It demonstrates to that community that they are welcome in Merri-bek. There has been no cost to council to date.

There is no organisation proposing the painting of the progressive rainbow flag, this was a Council resolution in response to a Councillor's Notice of Motion in February 2025. Council will determine whether to fund them as part of the 2025/26 budget process.

Answer to Question 2

The building you refer to on Sydney Road, Coburg is a privately owned building and the owners do not require council permission to paint a Palestinian flag on the side of their building.

I trust this answers your questions and thank you again for participating in public question time.

Yours sincerely



Anita Curnow
DIRECTOR CITY INFRASTRUCTURE

16 / 04 / 2025

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XRef: D25/185298
 Doc. No. D25/200474
 Enq: Catherine Dear
 Tel: 9240 1111

Mr John Englart



Dear Mr Englart

PUBLIC QUESTION TIME ON NOTICE RESPONSE FROM APRIL 2025 COUNCIL MEETING

I write to you in response to your questions submitted to the 9 April Council meeting, as follows:

- Question 1 - Upgrading electrical capacity at Hadfield Operations Centre**

This enables heavy fleet electrification and reduction of Council transport emissions. I appreciate Council Officer detail in this report.

While I understand Council is keeping open the possibility for hydrogen as part of heavy vehicle transport fuel mix, the reality is that this would be a very inefficient use of hydrogen, as per Michael Liebreich's Hydrogen Ladder assessment.

<https://www.linkedin.com/pulse/hydrogen-ladder-version-50-michael-liebreich/>

- Question 2 - Where does Council stand regarding heavy vehicle electrification as against hydrogen fuel cells?**

Are there more options for heavy electric vehicles on the market or coming on the market for Council to explore?

Thank you for your interest in community engagement and public participation. The answers to your questions are set out below.

Answer to Question 1

Council's position is that both battery and fuel cell electric vehicles play a role in a zero emission fleet. Council does have a position to ultimately eliminate carbon emissions from its operations. Any option that is able to move us towards that goal is worthy of consideration.

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Council expects that a well-balanced and resource responsible path to a zero-emissions transport future will likely see battery electric vehicles fill much of the personal transport space. It is not yet clear whether these or fuel cell electric vehicles will occupy the heavy vehicle space on a path to a zero-emissions transport future.

Answer to Question 2

As such, Council has a watching brief on electric, hydrogen and any other emerging zero emission technology. We have placed orders for some electric-powered items of plant and our process for purchasing new fleet and plant includes consideration of zero emissions options and where no suitable option is available an exemption process.

I trust this answers your questions however, if you require any further information, please don't hesitate to contact Catherine Dear, Manager City Services, on 9240 1111.

Yours sincerely



Anita Curnow
DIRECTOR CITY INFRASTRUCTURE

24 / 4 / 2025

7.10 PROCUREMENT AUSTRALIA CONTRACT 2703/0110 BULK FUELS AND FUEL CARDS

Director City Infrastructure, Anita Curnow

City Services

Officer Recommendation

That Council:

1. Approves opting into a Collaborative Procurement Arrangement with Procurement Australia Panel Contract No. 2703/0110 for Bulk Fuels and Fuel Cards (Contract) and accept the Schedule of Rates Tender for:
 - a) A contract term commencing 1 April 2025 for a period of two (2) years, with two (2) times one (1) year option to extend.
 - b) Category 1.1 – Bulk Fuel from:
 - i. Ampol Australia Petroleum Pty Ltd
 - ii. Pacific Fuel Solutions Pty Ltd
 - c) Category 1.2 – Bulk Metered Delivery from:
 - i. Ampol Australia Petroleum Pty Ltd
 - ii. Pacific Fuel Solutions Pty Ltd
 - d) Category 2.2 – Fuel Cards from:
 - i. Ampol Australia Petroleum Pty Ltd
 - e) An amount that is not exceeding \$5.8 million over the life of the contract.
2. Authorises the Chief Executive Officer to:
 - a) Do all the things necessary to formalise the arrangement under Contract 2703/0110 including executing any required documentation for the Contract.
 - b) Exercise contract extension options subject to contractor performance and vary the Contract (as required) in accordance with the terms of the Contract and Council's procurement policies.
3. Notes that Council has committed through the Zero Carbon Merri-bek Climate Emergency Action Plan to continue its transition towards zero emission vehicles. There are no minimum purchases of fuel required under this contract and so as the fleet transitions, there will be no penalty for consumption under this Contract reducing.

REPORT

Executive Summary

This report is seeking to opt into a Collaborative Procurement Arrangement with Procurement Australia Panel (Contract No. 2703/0110) for Bulk Fuels and Fuel Cards

The current contract for Bulk Fuels and Fuel Cards expired on 31 March 2025.

Council's Procurement Policy allows opting into existing collaborative engagements with other government entities, local governments, Municipal Association of Victoria (MAV) or Procurement Australia. Procurement Australia's Bulk Fuels and Fuel Cards contract was established through a tender process.

It is recommended that Council approve the opting into the Procurement Australia panel for the provision of bulk fuels and fuel card services. In utilising the panel, it ensures Council obtains the best value from members of the panel by requesting quotes from members that best meet requirements including accounting for variation in prices over time to secure the most favourable price.

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

Previous Council Decisions

Contract Award Procurement Australia Contract 2403/0109 - Bulk Fuels 13 April 2022.

That Council:

1. *Accepts the Schedule of Rates Tender for the provision of Category 1 – Bulk Fuel from:*
 - a) *Ampol Australia Petroleum Pty Ltd*
 - b) *Pacific Petroleum Pty Ltd*
 - c) *Petrogas Pty Ltd*
2. *Accepts the Schedule of Rates for the Category 2 – Bulk Metered Delivery from:*
 - a) *Ampol Australia Petroleum Pty Ltd*
 - b) *Petrogas Pty Ltd*
3. *Awards a preferred supplier Contract for the provision of Bulk Fuel for a period of two (2) years, with a one (1) year option to extend.*
4. *Authorises the Chief Executive Officer to do all things necessary to execute the contracts for the provision of bulk fuels.*
5. *Authorises the Director City Infrastructure to advise Procurement Australia of Council's decision in this matter.*

1. Policy Context

This report is in keeping with Council's commitment to accountability and sound financial management. It also addresses the requirement under Section 108 of the *Local Government Act 2020* which requires Council to conduct a public tender for goods, services and works where once-off or ongoing cumulative spend over the life of the contract is expected to exceed \$300,000 (including GST) as well as the policy commitments contained in the Procurement Policy.

Council's Procurement Policy includes commitments to sustainable procurement. In this instance, it is necessary to engage such suppliers to continue providing essential services to the community without disruption, and there is no effective alternative options to pursue at this time.

2. Background

Council is reliant on fuel to ensure ongoing delivery of several essential Council services.

Through Council's current bulk fuel delivery contract, Council consumes, about:

- 390,000L of diesel annually
- 35,000L of AdBlue* annually
- 20,000L unleaded fuel annually

* AdBlue is a solution used to treat diesel exhaust streams to reduce harmful nitrogen oxide emissions.

Council's previous Contract has been in place for 2 years and when preparing to exercise the 1-year extension, we were advised that Procurement Australia had tendered a new bulk fuels and fuel card contract. Council, having previously participated in bulk fuel purchasing through Procurement Australia, assessed the benefits of the collaborative procurement effort and identified that this new contract offers Council greater security in supply and better value for money.

As outlined in **Confidential Attachment 1** 2703-0110 Bulk Fuels & Fuel Cards (Member Report), Procurement Australia has outlined the procurement process and evaluation.

3. Issues

Contract Services

Given volume of fuel used by Council and current fuel markets, it is appropriate for Council to enter this preferred supplier contract with all shortlisted suppliers for the provision of Bulk Fuel for a period of period of two (2) years with two (2) x one (1) year options to extend.

The Contract included multiple categories that Merri-bek City Council wishes to opt in to, these are:

- Category 1.1 – Bulk Fuels
- Category 1.2 – Metered Bulk Fuels
- Category 2.2 – Single Branded Fuel Cards

Category 1.1 – Bulk Fuels

This includes the bulk supply of:

- Regular unleaded petrol (ULP)
- Premium diesel
- AdBlue

Category 1.2 – Metered Bulk Fuels

This includes the bulk supply of:

- Regular unleaded petrol (ULP)
- Premium diesel
- AdBlue

Category 2.2 – Single Branded Fuel Cards

Community impact

If there is uninterrupted fuel supply to support the Council's fleet, there will be no negative community impact, ensuring essential services continue without disruption

Collaboration

Note that section 109(2) of the *Local Government Act 2020* requires that any report to the Council that recommends entering into a procurement agreement must include information in relation to any opportunities for collaboration with other councils or public bodies, Procurement Australia, or MAV that may be available.

This is a Collaborative Procurement Arrangement with Procurement Australia.

Climate emergency and environmental sustainability implications

Whilst Council investigates alternate fuel sources, such as Hydrogen, there are no effective alternatives immediately available to our diesel heavy fleet at this time.

Council's light fleet and plant is progressively being replaced with electric vehicles and plant. This will continue to cause a reduction in unleaded petrol consumption over time.

There is nothing in the Procurement Australia Contract requiring a minimum purchase of fuels so the drive to zero emissions vehicles will not be impacted by the award of this Contract.

Economic sustainability implications

Entering the contract will result in cost savings on fuel supply due to the collaborative nature of the procurement process via Procurement Australia as well as volume-based nature of the agreement, contributing to economic sustainability. It is noted that the expenditure under the contract is heavily influenced by global and domestic trends in the price of oil which can be volatile. As such, the expenditure under the contract can be significantly impacted in any given year by these factors, however this has been factored in in the maximum expenditure using historical fuel use and pricing.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities there are no direct impacts on human rights.

4. Consultation / Recommendation from Management

This arrangement will support Council Operations and continued service delivery. There is no direct impact on the community. Community consultation was not required.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The Procurement Australia contract will provide the lowest transactional costs and therefore benefits Council, in comparison to if Council were to procure the purchase of bulk fuels and fuel cards individually.

This contract does not have a minimum usage, and Council can opt-in and out of the contract at any time without penalties. The opt out and no minimum usage provisions are important as Council and works towards electrification of fleet.

Council spends \$1,200,000 per year on fuel to keep Council's fleet operating to deliver our essential services.

This is fully funded through the Fleet Services Unit budget.

7. Implementation

Following Council approval, Council officers will opt-in to the new panel arrangement using the Procurement Australia online portal.

Attachment/s

- | | | |
|----------|---|------------|
| 1 | 2703-0110 Bulk Fuels & Fuel Cards (Member Report) | D25/190158 |
|----------|---|------------|

Pursuant to section 3(1)(g)(i) of the Local Government Act 2020 this attachment has been designated as confidential because it relates to private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets.

- | | | |
|----------|-------------------------------|------------|
| 2 | Category 1 - Bulk Fuels Rates | D25/214465 |
|----------|-------------------------------|------------|

Pursuant to section 3(1)(g)(i) of the Local Government Act 2020 this attachment has been designated as confidential because it relates to

private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets.

3 Category 2 - Fuel Cards Rates

D25/190161

Pursuant to section 3(1)(g)(i) of the Local Government Act 2020 this attachment has been designated as confidential because it relates to private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets.

7.11 CONTRACT EXTENSION: EXE-2023-546 PATHWAY AND EPATHWAY SOFTWARE MAINTENANCE AND SUPPORT

Director Business Transformation, Sue Vujcevic

Information Technology

Officer Recommendation

That Council:

1. Approves a procurement exemption under section 6.1.4.2 (a) of the procurement policy for EXE-2023-546 Info Software Maintenance and Support for:
 - a) Additional maximum spend of up to \$960,021 (excluding GST) under this extension;
 - b) For a term of three (3) one-year extension options commencing 1 July 2025 at the discretion of Council.
2. Authorises the Chief Executive Officer to do all things necessary to approve the contract exemption and related documentation as identified in point one above.

REPORT

Executive Summary

Council has in place an existing contract EXEC-2023-546 which expires on 30 June 2025 for the Software maintenance and support for Infor Global Solutions, the provider of the Pathway and ePathway platforms (these platforms support core functions, including property management, regulatory management (i.e. planning and building), and revenue management).

On 12 March 2025, Council resolved to commence the procurement tender process for an Enterprise Resourcing Planning (ERP) System. The EDRMS will form part of this ERP procurement process which is currently underway.

This report is recommending that Council endorses a procurement exemption under section 6.1.4.2 (a) of the Procurement Policy which states:

The following circumstances are exempt from the general publicly advertised tender, quotation and expression of interest requirements.

Extension of contracts while Council is at market – this allows Council to extend an existing contract where the procurement process to replace the contract has commenced... This exemption may be used when the establishment of an interim short-term arrangement with an alternative supplier is considered not to be in the public interest, as it may be cost prohibitive and/or present a risk in the delivery of the critical public services to the municipality.

The purpose of this report is to obtain Council approval for a maximum allowable spend of \$960,021 (excluding GST) for Contract EXE-2023-546 for Software Application Maintenance and Support for Infor Global Solutions (ANZ) Pty Ltd, for a maximum contract term of three one-year extension options commencing 1 July 2025.

Previous Council Decisions

Elevate Customer And Digital Transformation Program – 12 March 2025

That Council:

1. *Notes that Council's current core business systems are reaching end of their useful lives and need to be modernised to improve customer experience and advance integration between systems and cyber security.*

...

6. Commences the procurement tender process for the Enterprise Resource Planning system and
 - a) Notes that the contract award will be subject to a Council resolution.
 - b) Notes that the tender process may result in amendments to the forward financial projections outlined in Confidential Attachment 1.

1. Policy Context

This report is in keeping with Council's commitment to accountability and sound financial management. It also addresses the requirement under Section 109(1) of the *Local Government Act 2020* which requires Council comply with its Procurement Policy before entering into a contract for the purchase of goods or services or the carrying out of works.

The Procurement Policy allows Council to extend existing contracts while Council is at market if establishing an interim short-term arrangement with an alternative supplier is not considered to be in the public interest, as it may be cost prohibitive and/or present a risk in the delivery of the critical public services to the municipality.

2. Background

The current contract for software and maintenance support for Pathway and ePathway expires on 30 June 2025 and has no extension options.

On 12 March 2025, Council resolved as a part of the elevate customer and digital transformation program, to commence the procurement tender process for an Enterprise Resourcing Planning (ERP) System. The EDRMS will form part of this ERP procurement process which is currently underway.

This contract extension is allowed under section 6.1.4.2 (a) of the Procurement Policy which states:

The following circumstances are exempt from the general publicly advertised tender, quotation and expression of interest requirements.

Extension of contracts while Council is at market – this allows Council to extend an existing contract where the procurement process to replace the contract has commenced... This exemption may be used when the establishment of an interim short-term arrangement with an alternative supplier is considered not to be in the public interest, as it may be cost prohibitive and/or present a risk in the delivery of the critical public services to the municipality.

The exemption being sought is for three (3) one-year extension options commencing 1 July 2025 at the discretion of Council for a maximum additional spend of \$960,021 (excluding GST). By granting approval for up to 3-years of exemptions allowed for an orderly transition to the new Enterprise Resourcing Planning System.

3. Issues

Procurement exemption for extension

Council has recently resolved on 12 March 2025, as a part of the elevate customer and digital transformation program, to commence the procurement tender process for an Enterprise Resourcing Planning System.

If a procurement exemption for extensions linked to the current timeframes of the elevate program were not to be endorsed, Council would need to run a public tender process for a short-term interim solution. This would require significant additional resources if a transition to a short-term interim supplier were required, that is not currently budgeted for. This is not in the best interest of the public and would result in significant additional budget requirements.

Community impact

The ePathway product is our eService portal, used by the community for online transactions with Councils. It is imperative that there is no disruption to these services while we consider other platforms.

Collaboration

Section 109(2) of the *Local Government Act 2020* requires that any report to the Council that recommends entering into a procurement agreement must include information in relation to any opportunities for collaboration with other councils or public bodies which may be available.

Under this contract there are no opportunities to collaborate with other Councils or public bodies because of lack of alignment with contract requirements.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Community consultation and engagement

Community consultation is not required as the Pathway and ePathway platforms are already being utilised.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The Information Technology - Applications Unit is responsible for the software budget and contract management.

The current spend within the existing contract (EXE-2023-546) is \$290,133 (excluding GST).

The maximum spend within the extension is \$960,021 (excluding GST) for 3-years and is within the existing IT budget. No additional resourcing is required to implement this extension. If Council were to go to market for a short-term interim solution, while the elevate customer and digital transformation program is being undertaken, additional resourcing would be required.

7. Implementation

Subject to Council's decision, the next step would be entering into a contract extension to ensure continuity of Council's Pathway/ePathway system whilst Council procures and implements an Enterprise Resourcing Planning (ERP) System.

Attachment/s

There are no attachments for this report.

7.12 CONTRACT EXTENSION: EXE-2023-401 CONTENT MANAGER SOFTWARE APPLICATION MAINTENANCE AND SUPPORT

Director Business Transformation, Sue Vujcevic

Information Technology

Officer Recommendation

That Council:

1. Approves a procurement exemption under section 6.1.4.2 (a) of the procurement policy for EXE-2023-401 Software Application Maintenance and Support for Content Manager for:
 - a) additional maximum spend of up to \$793,868 (excluding GST) under this extension;
 - b) a term of three (3) one-year extension options commencing 1 July 2025 at the discretion of Council.
2. Authorises the Chief Executive Officer to do all things necessary to approve the contract extensions and related documentation as identified in paragraph 1.

REPORT

Executive Summary

Council has in place an existing contract EXE-2023-401 which expires on 30 June 2025 for the Electronic Document and Records Management System (EDRMS) that manages Council's corporate records and provides evidence of business activities.

On 12 March 2025, Council resolved to commence the procurement tender process for an Enterprise Resourcing Planning (ERP) System. The EDRMS will form part of this ERP procurement process which is currently underway.

This report is recommending that Council endorses a procurement exemption under section 6.1.4.2 (a) of the Procurement Policy which states:

The following circumstances are exempt from the general publicly advertised tender, quotation and expression of interest requirements.

Extension of contracts while Council is at market – this allows Council to extend an existing contract where the procurement process to replace the contract has commenced... This exemption may be used when the establishment of an interim short-term arrangement with an alternative supplier is considered not to be in the public interest, as it may be cost prohibitive and/or present a risk in the delivery of the critical public services to the municipality.

The purpose of this report is to obtain Council approval of a maximum allowable spend of \$793,868 (excluding GST) for Contract EXE-2023-401 for Software Application Maintenance and Support for Content Manager with the current supplier (Kapish Services Pty Ltd) for a maximum contract term of three one-year extension options commencing 1 July 2025 at the discretion of Council.

Previous Council Decisions

Elevate Customer and Digital Transformation Program – 12 March 2025

That Council:

1. *Notes that Council's current core business systems are reaching end of their useful lives and need to be modernised to improve customer experience and advance integration between systems and cyber security.*
- ...
6. *Commences the procurement tender process for the Enterprise Resource Planning system and*
 - a) *Notes that the contract award will be subject to a Council resolution;*
 - b) *Notes that the tender process may result in amendments to the forward financial projections outlined in Confidential Attachment 1.*

Software Application Maintenance and Support for Content Manager– Kapish – EXE-2023-401 – 20 June 2023

That Council authorises the Chief Executive Officer to:

1. *Engage Kapish Services Pty Ltd under contract EXE-2023-401 for the provision of software application support and maintenance, and consultancy services for Council's electronic document management system Content Manager:*
 - i. *For an amount not exceeding \$547,000 excluding GST.*
 - ii. *For a term commencing 1 July 2023 for a period of two (2) years, with no options for extension.*
2. *Do all things necessary to engage the services of Kapish Services Pty Ltd and execute any other required documentation.*

1. Policy Context

This report is in keeping with Council's commitment to accountability and sound financial management. It also addresses the requirement under Section 109(1) of the Local Government Act 2020 which requires Council comply with its Procurement Policy before entering into a contract for the purchase of goods or services or the carrying out of works.

The Procurement Policy allows Council to extend existing contracts while Council is at market if establishing an interim short-term arrangement with an alternative supplier is not considered to be in the in the public interest, as it may be cost prohibitive and/or present a risk in the delivery of the critical public services to the municipality.

2. Background

The current contract for Electronic Document and Records Management System (EDRMS) that manages Council's corporate records and provides evidence of business activities expires on 30 June 2025 and has no extension options.

On 12 March 2025, Council resolved as a part of the elevate customer and digital transformation program, to commence the procurement tender process for an Enterprise Resourcing Planning (ERP) System. The EDRMS will form part of this ERP procurement process which is currently underway.

This contract extension is allowed under section 6.1.4.2 (a) of the Procurement Policy which states:

The following circumstances are exempt from the general publicly advertised tender, quotation and expression of interest requirements.

Extension of contracts while Council is at market – this allows Council to extend an existing contract where the procurement process to replace the contract has commenced... This exemption may be used when the establishment of an interim short-term arrangement with an alternative supplier is considered not to be in the public interest, as it may be cost prohibitive and/or present a risk in the delivery of the critical public services to the municipality.

The exemption being sought is for 3 three (3) one-year extension options commencing 1 July 2025 at the discretion of Council for a maximum spend of \$793,868 (excluding GST). By granting approval for up to 3-years of exemptions allowed for an orderly transition to the new Enterprise Resourcing Planning System.

3. Issues

Procurement exemption for extension

Council has recently resolved on 12 March 2025, as a part of the elevate customer and digital transformation program, to commence the procurement tender process for an Enterprise Resourcing Planning System.

If a procurement exemption for extensions linked to the current timeframes of the elevate program were not to be endorsed, Council would need to run a public tender process for a short-term interim solution. This would require significant additional resources if a transition to a short-term interim supplier were required, that is not currently budgeted for. This is not in the best interest of the public and would result in significant additional budget requirements.

Collaboration

Section 109(2) of the *Local Government Act 2020* requires that any report to the Council that recommends entering into a procurement agreement must include information in relation to any opportunities for collaboration with other councils or public bodies which may be available.

Under this contract there are no opportunities to collaborate with other Councils or public bodies because of lack of alignment with contract requirements.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Community consultation and engagement

Community consultation is not required as the document management system is already being utilised.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The Information Technology - Applications Unit is responsible for the software budget and contract management.

The current spend within the existing contract (EXE-2023-401) is \$473,502 (excluding GST). The maximum spend within the extension is \$793,868 (excluding GST) for 3-years and is within the existing IT budget. No additional resourcing is required to implement this extension. If Council were to go to market for a short-term interim solution, while the elevate customer and digital transformation program is being undertaken, additional resourcing would be required.

7. Implementation

Subject to Council's decision, the next step would be entering into a contract extension

to ensure continuity of Council's corporate record system whilst Council procures and implements an Enterprise Resourcing Planning (ERP) System.

Attachment/s

There are no attachments for this report.

7.13 CONTRACT AWARD: RFT-2025-13 PERMANENT SHARED ZONE INSTALLATION – ALBERT STREET AND VICTORIA STREET, BRUNSWICK EAST

Director City Infrastructure, Anita Curnow

Transport

Officer Recommendation

That Council:

1. Authorises the Chief Executive Officer to:
 - a) Make a formal offer to **Etheredge Mintern Pty Ltd ACN 006 521 151 (Contractor)** to award to the Contractor contract RFT-2025-13 for the Permanent Shared Zone Installation alongside Fleming Park in Albert Street and Victoria Street, Brunswick East including new road pavement, alterations to kerb alignment, footpath, ramps, drainage and new landscaping area (**Contract**) on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution:
 - i. For the total Contract value of \$732,293.57 excluding GST, comprising of fixed lumpsum of \$648,580.22 (excl. GST) and provisional amount of \$83,713.35 (excl. 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.

REPORT

Executive Summary

The Permanent Shared Zone installation at Albert Street and Victoria Street, Brunswick East has been identified in the 2024-2025 Capital Works Program. Some \$375,906 of grant funding from the State Government is allocated to the two shared zones through the Living Local Suburban Grants Program and must be used by October 2025.

The road works are required to install a new red asphalt road pavement, concrete and asphalt footpaths, long and wide pram ramps, kerb extensions, speed humps and cushions, new seating, tree pits, garden beds, drainage and public artwork on the road pavement. These works will deliver permanent infrastructure to replace temporary rubber traffic calming, signage and line marking as well as planter boxes that were used for the trial of the treatment.

During the tender evaluation process, Etheredge Mintern Pty Ltd was identified as the preferred tenderer based on their submission. The contractor has confirmed its ability to undertake the onsite works with a starting date being 26 May 2025.

Etheredge Minter Pty Ltd has previously undertaken projects of similar complexity for other councils with very good results. The construction program is for an 11-week duration with completion by late August, which is in accordance with our aim to complete this project by October 2025.

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

Previous Council Decisions

Decision to Permanently Close John Street, Brunswick East - 7 December 2022

That Council, following consideration of the report from the Department of Transport (VicRoads) and the written and verbal submissions that the public submitted under Section 223 of the Local Government Act 1989:

1. *Resolves under Section 207, Schedule 11, Clause 9 of the Local Government Act 1989 to block the passage of vehicles, other than bicycles and pedestrians, by placing permanent barriers in John Street, Brunswick East at the intersection of Albert Street and John Street to a point 8 metres further south;*
2. *Notifies all those who previously received a circular in relation to the proposal, including those who made written submissions, emergency services and the Department of Transport of Council's decision*

...

Safe Movement of Pedestrians and Cyclists – Outcomes of 12-Month Trials – 10 August 2022

That Council:

...

3. *Makes permanent the shared zones on Victoria Street and Albert Street, Brunswick East by:*
 - a) *Seeking state government (Department of Transport) approval to permanently lower the speed limit in the shared zones to 20 km/h*
 - b) *Undertaking functional and detailed design of a permanent shared zone in 2022/23 largely in line with the current trial but with a view to permanent features and reduced maintenance costs.*

...

7. *Resolves to continue to monitor the infrastructure after implementation including receiving feedback from the community in accordance with the 'post implementation' phase of the community engagement process for future bike projects as adopted in March 2022.*
8. *Notes the \$400,000 in the 2022/23 capital works budget 'Allowance for next step works for trial bike lanes and shared zones-Variouus' will be used to implement the next stages on these shared zones and bike lane trials and any additional funding needed will be referred to the budget process including quarterly budget updates.*

Safe Movement of Pedestrians and Cyclists - COVID-19 Response - 8 July 2020

That Council:

...

4. *Approves the following projects as described in this report to be delivered as soon as possible, subject to external/grant funding being secured.*
 - i. *An expanded zebra crossing program (up to \$500,000);*
 - ii. *An expanded pedestrian threshold program (up to \$500,000);*

- iii. *Pop up separated bicycle lanes on Dawson Street, Brunswick between the Upfield shared path and Barry Street (\$105,000);*
- iv. *Pop up shared zones on Albert Street and Victoria Street in Brunswick East at the Fleming Park shared path (\$150,000);*
- v. *Pop up separated bicycle lanes on Kent Road, Pascoe Vale, between Cornwall Road and Cumberland Road (\$60,000);*
- vi. *Pop up separated bicycle lanes on Northumberland Road, Pascoe Vale between Rhodes Parade and the KW Joyce Reserve shared path (\$66,000);*

1. Policy Context

This report is in keeping with Council’s commitment to accountability and sound financial management. It also addresses the requirement under section 109(1) of the *Local Government Act 2020* which requires Council to conduct a public tender for goods, services and works where once-off or ongoing cumulative spend over the life of the contract is expected to exceed \$300,000 (incl. GST) as well as the policy commitments contained in the Procurement Policy.

2. Background

The purpose of the report is to award a tender to a suitably qualified contractor to undertake the Permanent Shared Zone Installation in Albert Street and Victoria Street, Brunswick East alongside Fleming Park (includes the south end of Hutchinson Street and John Street, as well as the north end of Elesbury Avenue) as per the detailed drawings and specifications.

The tender was advertised via Council Procurement portal and in *The Age* newspaper on 15 March 2025, inviting tenders via the e-tender portal from suitably experienced contractors to undertake the works.

Tender closed at 3pm on Tuesday 8 April 2025, with tenders received from following 7 contractors. Six tenderers were deemed conforming.

- | | | |
|-------------------------------------|---|------------------|
| 1. Evergreen Civil Pty Ltd | - | ACN: 128 554 307 |
| 2. Multipro Civil Pty Ltd | - | ACN: 112 295 879 |
| 3. Novacon Group Pty Ltd | - | ACN: 621 403 076 |
| 4. Etheredge Mintern Pty Ltd | - | ACN: 006 521 151 |
| 5. New Horizon Construction Pty Ltd | - | ACN: 618 941 389 |
| 6. Kaizen Civil Pty Ltd | - | ACN: 619 423 068 |
| 7. Vine Civil Pty Ltd | - | ACN: 633 838 883 |

Tender Evaluation

Tenders were evaluated in accordance with Council’s Procurement Policy and in accordance with the approved Procurement Evaluation and Probity Plan for this project. The tender evaluation criteria included cost, capacity, capability, social, environmental, and economic sustainability considerations.

The membership of the tender evaluation panel was as follows:

Title	Generalist or Nominated Speciality	Full Voting / Advisory Member
Senior Transport Officer	Project Manager (Chair)	Full Voting
Senior Construction Engineer	Engineering Services	Full Voting
Senior Transport Officer	Generalist	Full Voting
Procurement Partner	Procurement	Advisory

In assessing the tenders, consideration was given to the following pre-defined criteria:

Criteria	Weighting
Cost	40%
Traffic Management & Works Program and Methodology	10%
Capability, Experience and Capacity	20%
Quality Management System	10%
Customer Service	3%
Social Sustainability	4%
Economic Sustainability	4%
Environmental Sustainability	4%
Environmental Sustainability Construction Options	5%
Total Scores	100%

3. Issues

Collaboration

Note that section 109(2) of the *Local Government Act 2020* requires that any report to the Council that recommends entering into a procurement agreement must include information in relation to any opportunities for collaboration with other councils or public bodies which may be available.

Under this contract there are no opportunities to collaborate with other Councils or public bodies because it is a local stand-alone road re-construction and drainage project for which there is a healthy local market of contractors.

Social Implications

Etheredge Mintern has a Social Procurement Policy in place. The company states that it provides opportunities to underprivileged members of society and supports businesses with similar cultures.

Local Implications

Etheredge Mintern Pty Ltd is based in Kilsyth (Shire of Yarra Ranges) and has indicated that it will use suppliers located within Merri-bek and surrounding municipalities where possible.

Environmental Implications

Etheredge Mintern Pty Ltd has externally iso-certified Environmental Management Systems in place. The company has processes in place to recycle and/or reuse all waste and use recycled products where possible. They track energy consumption and greenhouse gas (GHG) emissions through a structured monitoring and reporting system, focusing on 3 key areas: stationary energy, operational energy, and embodied emissions. The company's approach includes regular audits, data collection, and a commitment to reducing its carbon footprint over time.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation / Recommendation from Management

Installing the trial Shared Zones was part of a Council decision at its July 2020 meeting to allocate an additional \$1.68 million in the 2020/2021 budget for walking and riding improvements in response to the COVID-19 State of Emergency in Victoria. This investment aimed to encourage as many people as possible to walk or ride a bike given the social distancing requirements at the time.

Given the need to act quickly, the trial shared zones were installed using temporary infrastructure to allow Council to monitor their performance and make real-time adjustments based on community feedback over the course of the trial, before making a final decision.

Mail outs to residents in March 2021 (on the lead up to the trial) and during the trial invited feedback on the shared zones. An engagement specialist also undertook intercept surveys with the community between December 2021 and March 2022 to gauge their views on the trial projects.

For the Shared Zones, 158 people made submissions. An additional 60 people gave feedback via the intercept surveys.

An independent community run survey with 67 participants was also submitted for consideration by Brunswick Residents Network and the then Moreland Bicycle User Group.

Key issues and findings for the Shared Zone trials were:

- 130 people completed a survey relating to the Albert Street shared zone and a total of 88 people completed a survey for the Victoria Street shared zone.
- Comments were very similar for both of the shared zones.
- More respondents felt the trial shared zones increased safety (rather than reduced safety).
- Pedestrians said they were more likely to use the space.
- Bike riders were neutral and drivers were slightly less likely to use the space as a result of the trial.
- Traffic surveys indicated that there was an increase in pedestrian numbers within the shared zones (compared to background levels in December 2020). Bike ridership volumes have steadied or increased in the shared zone indicating that bike riders are not discouraged by pedestrians having priority.
- Vehicle volumes are lower compared to background levels and there is no indication that vehicles are avoiding the treatment by using other local streets in the area.
- Vehicle speeds are 10 km/h slower in the shared zones than immediately outside. The shared zones appear to have had negligible impact on parking in the area, but it is noted that parking pressure in the area has been increasing over the duration of this trial compared to December 2020 levels.

The engagement activities deemed the trials a success, and in August 2022, Council unanimously endorsed both shared zone projects to be made permanent.

The final designs for the permanent shared zones have been modified based on feedback and data gathered during the trial period. In Victoria Street, the shared zone has been shortened on the west side to commence closer to Elesbury Avenue, with an additional speed hump installed immediately west of Elesbury Avenue to slow vehicles entering the shared zone. To address sight distance for all users and enable vehicles to safely pass in the intersection of Victoria Street and Elesbury Avenue, vehicles will no longer be able to park within the intersection. All ramps for pedestrians will have suitably gentle slopes for DDA compliance, whilst leaving the regular footpath flat alongside the park. Pavement materials and line marking have been selected for longevity and reduced maintenance requirements.

A project update letter was sent to properties in the vicinity of the Albert Street Shared Zone in June 2024 with a project timeline update and details for removal of some of the ageing trial infrastructure. This included some parking changes to protect pedestrian areas and sight distance around key crossing points.

A project update was mailed to all surrounding properties in August 2024 including concept plans and specific details for the permanent shared zone installations. The concept plans were also published on a dedicated Conversations Merri-bek webpage, including 3D visualisations of the Albert Street Shared Zone around the John Street Road Closure. A3 posters detailing the project concept plans, with updates and links to the conversations page were also displayed on six dedicated Shared Zone awareness signs in Albert Street and Victoria Street.

Victoria Street and Elesbury Avenue residents made a number of email submissions to Council officers regarding the plans and requested a follow up site meeting that was held onsite on 26 September 2024. Based on this meeting and submissions from directly impacted residents, adjustments were made to proposed tree plantings in Elesbury Avenue, as well as to the number and location of bollards proposed. The changes allow more manoeuvring room in the road carriageway than is currently available or was available before the trial with parked vehicles, as well as for a greater length for passing in Victoria Street and better visibility for all users, whilst still extending the footpath ramps into the road.

Owners and residents will also be informed prior to the works commencing on site via a letter drop from Council and the Contractor.

5. Declaration of Conflict of Interest

Council Officers, external consultants and all other parties involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

A total budget of \$1,093,000.00 has been allocated in the Council Capital Works Program over two consecutive financial years of 2024/2025 and 2025/2026 for the Permanent Installation of the Shared Zones in Albert Street and Victoria Street, Brunswick East. This amount includes \$375,906 of grant funding from the State Government through the Living Local Suburban Grants Program to permanently install both shared zones

The table below shows the anticipated expenditure for Contract RFT-2025-13:

Item	Amount (excluding GST)
Tendered lump sum amount	\$648,580.22
Provisional sum	\$83,713.35
TOTAL	\$732,293.57

Budget commitments are shown in the table below:

Adopted budget (\$)	2024/2025	2025/2026	Total
Shared Zones budget	\$93,000	\$1,000,000	\$1,093,000
Non-contract project costs			
<i>Specialist road markings and line marking</i>		\$134,300	
<i>Street lighting</i>	\$8,129		
<i>New seating</i>		\$9,300	

<i>Design costs in 2024/25</i>	<i>\$67,913</i>		
<i>Upkeep of trial infrastructure</i>	<i>\$10,854</i>		
Total costs outside Contract RFT-2025-13	\$86,897	\$143,600	
Contract costs		\$732,294	
Total remaining budget	\$6,103	\$124,106	\$130,210

7. Implementation and Timeline

It is proposed that the Chief Executive Officer be authorised to do all things necessary to execute the contract/s and any other required documentation.

The contracts will commence as soon as possible following Council endorsement.

Construction works are planned to commence in June 2025 and be completed in the first half of the 2025/2026 financial year.

Attachment/s

- 1 Tender Recommendation Report for above \$700k- RFT-2025-13
Permanent Installation of Shared Zones

D25/217176

Pursuant to section 3(1)(g(i)) of the Local Government Act 2020 this attachment has been designated as confidential because it relates to private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets.

8. NOTICES OF MOTION

8.1 SISTER CITY WITH BHARATPUR METROPOLITAN CITY OF NEPAL

Cr Chris Miles

Motion

That Council:

1. Writes to Ms Renu Dahal, Mayor Bharatpur Metropolitan City Bagmati Province Nepal extending an invitation to meet with the Mayor, Cr Helen Davidson and Councillors in June to explore a potential sister city relationship between the two councils, including opportunities to foster cultural exchange, mutual understanding, and opportunities for collaboration.
2. Receives a report at the July meeting, which investigates the possible establishment of a Sister City Relationship with Bharatpur Metropolitan City in Nepal, which includes the identification of a potential governance structure for the relationship and potential areas of collaboration between Bharatpur Metropolitan City and Merri-bek City Council.

1. Background

Cr Miles's background:

Australia and Nepal have enjoyed strong bilateral relations since 15 February 1960. The milestone 60th anniversary of diplomatic ties was celebrated in 2020, reflecting a longstanding and evolving partnership. Australia established its Embassy in Kathmandu in 1984, followed by Nepal opening its Embassy in Canberra in 2007, signifying deepening engagement.

The Nepalese community in Australia has grown significantly in recent years, particularly in Victoria, which hosts the second-largest Nepalese population in Australia. Between 2011 and 2021, the community more than doubled, driven by strong demand for Australian education and evolving skilled migration pathways. This trend is expected to continue.

Beyond diplomatic relations, people-to-people connections have strengthened through tourism, trade, education, professional exchanges, and government cooperation. Australia has played a pivotal role in Nepal's development in areas such as healthcare, education, hydropower, agriculture, forestry, and governance. In 2021, 2.2% of the City of Merri-bek's population spoke Nepali at home compared to 0.4% in Greater Melbourne. While the City of Merri-bek has a higher proportion of people who spoke Nepali at home, Glenroy is the highest at 7.8%, followed by other suburbs including Fawkner (3.3%) and Oak Park (3.1%).

2. Policy Context

Officer's comments:

Councils adopted Sister City/Friendship City Guidelines (the Guidelines) outline that Sister and Friendship city relationships strengthen ties between communities for the benefit of cultural exchange and economic development. Council is committed to supporting sister and friendship relationships to the extent that they promote relevant cultural and historic ties and foster economic links, provided there is evidence the local community is prepared to actively support and participate in the relationship.

The Guidelines also set the criteria that is to be used for the assessment of requests for sister/friendship city agreements to be established. This criteria includes:

- A demonstrated link or relationship between the cities (including Merri-bek);

- A demonstrated historic, cultural or social benefit of a sister city relationship; and
- How will the relationship help develop networks of communication between Merri-bek and the proposed city?

The proposed Council report will address each element of the above criteria, as well as the identification of a potential governance structure for the relationship and potential areas of collaboration between Bharatpur Metropolitan City and Council.

Australia's *Foreign Relations (State and Territory Arrangements) Act 2020* requires that all prospective foreign arrangements with councils, including Sister City arrangements, be notified to the Minister of Foreign Affairs via the Foreign Arrangements Scheme. A formal notification will be made to the Minister should this motion be adopted.

3. Financial Implications

Officer's comments:

There are no financial implications associated with the preparation of a Council report which explores the potential for Council to enter into a sister city relationship with Bharatpur Metropolitan City, Bagmati Province Nepal.

4. Resources Implications

Officer's comments:

The motion can be implemented using existing Council resources.

8.2 PEDESTRIAN SAFETY AT BONWICK STREET AND JUKES ROAD INTERSECTION

Cr Nat Abboud

Motion

That Council investigates urgent solutions to ensure pedestrian safety from car accidents where cars can mount the curb on the southwest corner of Bonwick Street and Jukes Road intersection in Fawkner such as bollards or planter boxes.

1. Background

Cr Abboud's Background

Once again there has been a dangerous incident on Bonwick street. A man became unconscious in his car and drove into the Chemist Discount Centre Fawkner which is located on the corner of Jukes Road. The man was revived and has survived a heart attack but the pharmacy has suffered structural damage for the second time from a car accident in less than a year.

Although Bonwick Street has had significant investment recently, there is still more to do to urgently resolve safety on this corner to protect pedestrians and the building from accidents of this type.

2. Policy Context

Officer's comments:

The parking bay directly in front of the pharmacy on Bonwick Street, near Jukes Road, is a disability parking bay, which includes a ramp to allow universal access from the parking bay to the footpath.

Providing this ramp is also a legal requirement to meet standards under the Disability Discrimination Act.

It appears in the incident that recently occurred at this site, the ramp made it somewhat easier for the errant vehicle to mount the footpath.

When Bonwick Street underwent a streetscape upgrade in 2020, seven disability parking bays were installed.

The Australian Standard for disability parking has since been updated. The subject parking bay no longer meets the standard.

The new standard requires a shared zone next to the disability parking bay, to enable manoeuvrability of a wheelchair user. It also requires the installation of a bollard to ensure that space is not encroached by a vehicle.

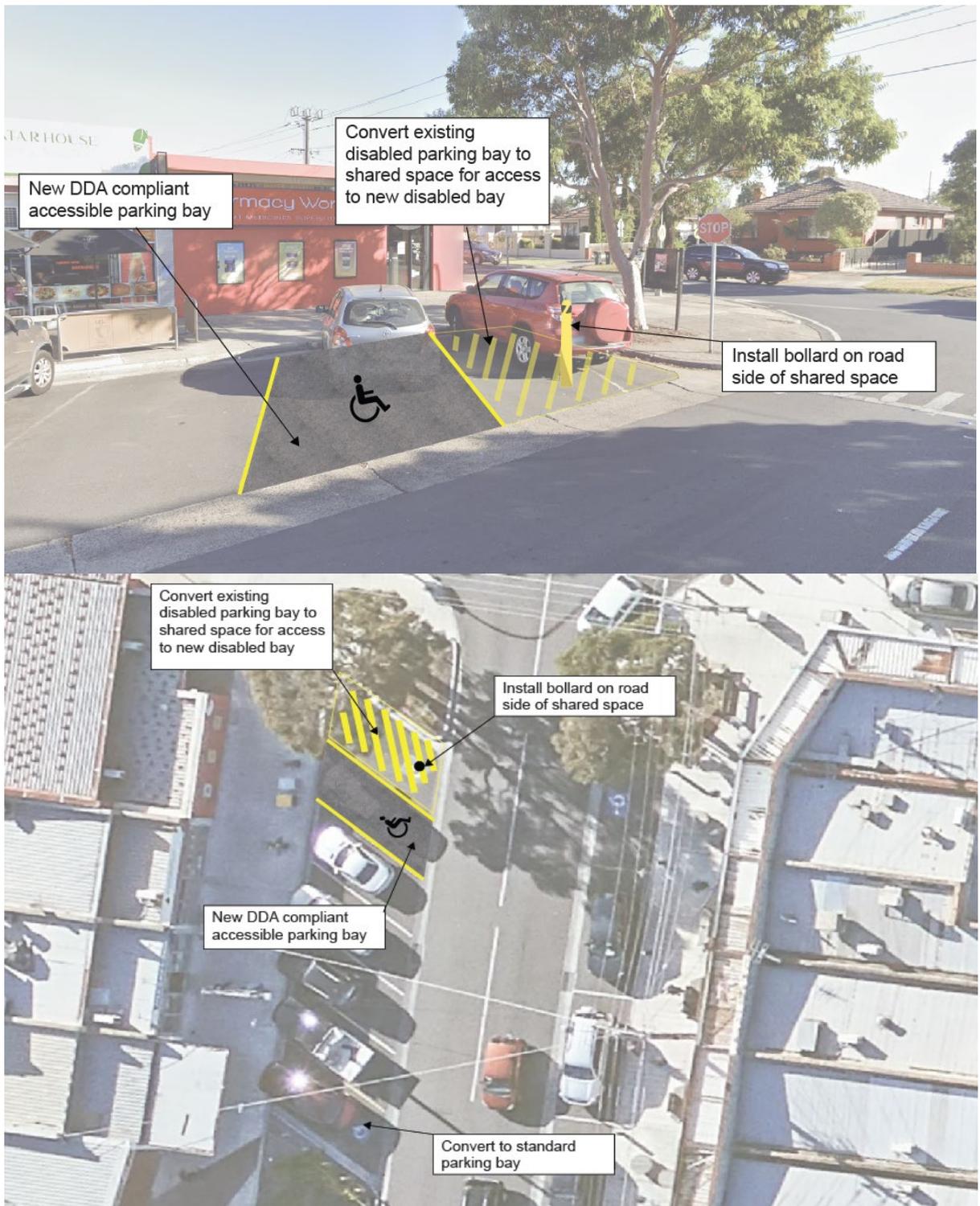
Council officers will update this parking bay so that it meets the new standard.

This will mean that the parking bay will shift south so that it is in front of where the rubbish bins and tree are located. This location has a kerb along its length. These elements will create a barrier for an errant vehicle mounting the kerb.

Where the ramp currently is, a bollard will be located in the road way so that users of disability parking are protected. This will also prevent errant vehicles from mounting the kerb.

To ensure no loss of regular parking, the disability parking bay at the end of the row of parking is proposed to be converted to a regular parking bay, reducing the total number of disability parking bays to six. A letter will go out to businesses shortly with the proposed parking change.

The concept designs below illustrate the proposed changes to improve safety and create a parking bay for people with disability that is compliant with the new Australian Standards.



Council officers will review the five remaining disability parking bays in Bonwick Street and consider whether upgrades are required to align them with the updated standard.

3. Financial Implications

Officer's comments:

Updating the disability parking is being completed within existing Council budget, drawing on infrastructure funding set aside to address urgent transport safety and compliance issues.

4. Resources Implications

Officer's comments:

Updating the disability parking bay is being completed within existing Council resources.

8.3 HONOURING THE LIFE AND LEGACY OF JOE SAM LUPPINO

Cr Oscar Yildiz

Motion

That Council:

1. Formally recognises and honors the outstanding contribution of Joe Sam Luppino by naming the grandstand at Coburg City Oval the “Joe Sam Luppino Stand”.
2. Should this not be deemed suitable, identifies and considers an alternative location or facility within Merri-bek to appropriately commemorate Joe’s legacy and service to the community.

1. Background

Cr Yildiz’s Background

Joe Sam Luppino made an extraordinary and lasting contribution to the Moreland (now Merri-Bek) community through his 23 years of dedicated service to Council. Whether you had the privilege of working alongside Joe for a short time or many years, his influence and legacy are deeply felt by all.

Joe was a highly respected and admired figure, not only within Merri-Bek but across the broader sport and recreation sector. He commenced his career with Moreland Council in 2001 as the Access for All Abilities Officer, where he coordinated the Recreational Access Program and championed inclusive sporting and recreation opportunities for people with disabilities. In 2007, Joe was appointed Recreation Services Coordinator, and later promoted to Unit Manager Recreation Services, where he led a team responsible for planning, managing, and delivering Council’s sport and recreation programs, including the community grants program.

Joe’s deep passion for sport, combined with his unwavering commitment to fairness, drove significant positive change. He played a pivotal role in advancing gender equity and increasing junior and female participation in sport — achievements that have since been adopted as best practice by councils and sporting bodies across the country.

His leadership also led to the development and upgrade of numerous community and recreational facilities, with a focus on multi-purpose spaces and equitable access for all.

I had the honour of working alongside Joe for 16 years at Moreland/Merri-Bek Council. His professionalism, leadership, and compassion made him not only a respected manager, but also a deeply valued colleague and friend. Joe was known for his generosity of spirit, humility, and ability to bring people together.

Joe Sam Luppino was born on 30 September 1971 to proud parents Carmelo and Rosa Luppino. He passed away on 4 January 2024, following a courageous battle with cancer. He is survived by his beloved wife Betty, 10-year-old daughter Bianca, mother Rosa, and brother Steve.

Service and Advocacy for People with Disabilities

Joe dedicated his professional life to empowering people with disabilities, combining his academic background with hands-on experience in community support. He volunteered with the Victorian Weekend Wanders, offering recreational travel experiences to individuals with complex needs, and co-founded Breakaway Adventures, a not-for-profit organisation focused on inclusive recreational opportunities for young adults with disabilities.

At Council, Joe led the Access for All Abilities program with distinction, championing equal opportunity in sport and recreation long before it became a widespread standard.

Leadership and Legacy at Council

Joe's love of sport led him to Council's Recreation Services Unit, where he thrived as a leader and mentor. A passionate sportsman himself, he played football, tennis, cricket (indoor and outdoor), squash, and golf. He was a proud supporter and lifetime member of the Richmond Football Club, and was actively involved in supporting local football and soccer clubs across multiple communities.

He was instrumental in forming the Victoria University Student Union football team, where he leveraged his leadership and recruiting skills to build a competitive and inclusive team.

Joe's proud and enduring legacy at Merri-bek Council is reflected in projects that led to improved community sport and recreation facilities, and ultimately greater and more equal access for all. Through his leadership, the groundbreaking and sector leading Active Women's Policy was introduced, ensuring women and girls had equal opportunities to participate in sport—an initiative that led to the upgrade of nearly all sports pavilions across the municipality to be female-friendly.

Joe was a driving force behind several major infrastructure projects, including the CB Smith Soccer Pavilion and Ground, the Coburg City Oval Redevelopment, and the Inner Metro North Netball Project, which delivered 24 new netball courts across Merri-bek.

He was also instrumental in advocating to state and federal governments for critical grant funding to support the ongoing enhancement of local sporting facilities.

In 2020 and the Covid pandemic, Joe planned, recruited and led a large Working for Victoria workforce of 11 teams and 73 staff – people who would otherwise have been out of work - refurbishing and upgrading 110 of Council's Community Facilities including Sports Pavilions and Facilities, Public toilets, Aquatic Centres, Neighbourhood Houses, Kindergartens, Maternal Childcare Centres, Community Halls, Libraries, Youth Facilities, and Civic Centres. This was an extraordinary feat that made a huge difference for individuals in some of the darkest days of the pandemic. It has also had lasting benefit to the community.

These achievements over 23 years benefited the health and wellbeing of thousands of people in the Merri-bek community. Joe built lasting and constructive relationships within the community and stakeholders, particularly with the 80 community sporting clubs in Merri-bek.

Personal Values and Community Impact

Joe's legacy extends far beyond the programs he managed or the policies he influenced. He will be remembered for his humility, integrity, and selflessness. He consistently put others first, ensuring those around him felt valued, respected, and supported. His kindness, optimism, and compassion left a lasting impact on everyone he encountered — colleagues, friends, and community members alike.

Joe's story is one of courage, resilience, and service — a legacy that deserves to be honoured in a lasting and meaningful way.

2. Policy Context

Officer's comments:

This motion aligns with Council's ongoing commitment to community inclusion, equality in sport and recreation, and the recognition of long serving staff members who have made an exceptional impact. Naming a Council of a Council facility as proposed by the motion is possible and has precedent.

3. Financial Implications

Officer's comments:

This motion can be accommodated within current operational budgets.

4. Resources Implications

Officer's comments:

This motion can be enacted with current resource allocations.

8.4 COBURG CITY OVAL

Cr Oscar Yildiz

Motion

That Council:

1. Ensures the two public access gates at City Oval are opened from 6am and closed by 10pm daily and that:
 - a) Dogs must remain on-lead at all times during open hours and are prohibited from accessing the oval.
 - b) No public access is permitted on match days or during club use, as outlined in the Council's agreement with Coburg FC.
 - c) Coburg FC reserves the right to deny access on match days in line with operational and safety needs.
2. Installs improved signage around the venue to inform the public of access times, dog policies, and usage rules.
3. Notes that while the club supports community access for health and fitness, the venue's poor lighting and limited passive surveillance make it unsuitable for unsupervised evening use and that clear communication are necessary for public safety.

1. Background

Cr Yildiz's Background

Established in 1891, the Coburg Football Club (Coburg FC) is based at the recently redeveloped Coburg City Oval—a project co-funded by Moreland City Council, the State Government, the AFL, and Cricket Australia.

The club fields junior teams at Jackson Reserve, Coburg North, a junior-sized oval. Coburg FC's senior men's team is one of six "standalone" or independent historic clubs competing in the AFL's tier-two competition, the Victorian Football League (VFL). This high-profile competition sees AFL-aligned teams such as Collingwood, Essendon, Carlton, Richmond, and others visiting Coburg City Oval as part of the fixture.

All men's VFL matches are broadcast live nationally via afl.com.au and the AFL app. In addition, one to two matches each year are televised live on Channel 7.

The club's two women's teams compete in the Victorian Amateur Football Association (VAFA), the largest women's football competition in Victoria.

Despite operating with only one full-time staff member, General Manager Nick Byrne, Coburg FC runs a professional program supported by a network of volunteers, university interns, workplace students, and work experience participants. On any given day, 3–4 people of various ages and abilities are actively working at the venue, developing skills in sports administration, media, strength and conditioning, and facilities management.

Coburg City Oval is the municipality's premier sporting facility and the only one that brings mainstream, free-to-air broadcast exposure to the suburb and to Council. It is a community asset of significance and pride.

Security Concerns and Gate Access

Prior to 2018, Coburg FC managed the gates to Coburg City Oval, opening and locking them daily in line with training and game schedules. This access control was necessary as entry to VFL matches requires ticketing or membership.

In 2018, Council altered this arrangement, mandating that gates remain open at all times except on match days. Since then, the club has experienced a marked increase in:

- Vandalism, theft, and graffiti
- Drug use within the facility
- Safety issues, especially affecting women, children, and staff

The grandstand, a key feature of the redevelopment, has unfortunately become a gathering place for illicit activity. In the past year alone, Coburg FC has submitted over 100 support requests to Council related to vandalism and safety issues. Staff and volunteers—including the Council's cleaner and workplace students—report feeling unsafe, particularly at night.

Security incidents reported since January 2025 include:

- Drug use onsite
- Theft of vehicle number plates
- Trespassing and removal of unauthorised individuals
- Physical altercations involving community members
- Repeated instances of graffiti, discarded drug paraphernalia, and vandalism requiring costly clean-up

The club's General Manager often remains onsite late into the evening to ensure the safety of players and volunteers.

Dog Control and Facility Misuse

An increasing concern for Coburg FC is the misuse of the oval by dog owners, including:

- Dogs off-lead interfering with training sessions
- Owners not cleaning up after their pets
- Disregard for Council's on-lead policy at the venue

This behaviour compromises the safety and cleanliness of the playing surface. Club volunteers are routinely forced to address these issues, which has led to tension with some members of the public.

Prior to each match, the club is required to inspect and clean the playing field of dog waste and debris, a responsibility it believes should not fall solely on volunteers.

2. Policy Context

Officer's comments:

Policy direction for City Oval is provided by Council's Open Space Strategy and Sport and Active Recreation Strategy.

3. Financial Implications

Officer's comments:

The cost of implementing this Notice of Motion, including signage, can be undertaken within existing operational budgets.

4. Resources Implications

Officer's comments:

The proposed arrangements and signage can be undertaken within existing resource allocations.

8.5 **MARKETING MATERIALS AND GIFTS FOR SCHOOL STUDENTS, VISITORS AND DIGNITARIES**

Cr Oscar Yildiz

Motion

That Council reinstates the provision of providing corporate/official gifts ensuring appropriate options for such gifts and marketing materials are available, including items suitable for school students, visitors, community groups, and dignitaries, as well as materials that can be provided to Councillors for official visits.

1. Background

Cr Yildiz's background:

Council regularly hosts visits from local community groups, schools and international delegations keen to learn about our services and initiatives. As Councillors, we also represent Merri-bek in other states and internationally, engaging with a wide range of stakeholders and dignitaries.

Currently, Council does not have any official marketing materials, souvenirs, or branded gifts to present to visitors. This is a missed opportunity to positively promote our City and leave a lasting, professional impression.

Recently, while hosting a visit from a local primary school alongside the Mayor, we had very few materials available limited to a small number of waste management brochures. A simple item such as a bookmark, keyring, pin, or other branded gift would have been well received and would have showcased Council's pride in its services and identity.

In my 17 years of service, I have consistently found it difficult to source appropriate Council-branded gifts when meeting with visitors or dignitaries. Unlike many other Councils, which offer tailored and thoughtful gifts bearing their logo, Merri-bek lacks such resources.

On numerous occasions, including when meeting Ambassadors in Canberra, I have personally purchased gifts to ensure that Merri-bek is remembered positively.

This matter is not merely about gifts, it is about professional representation, civic pride, and enhancing our reputation both locally and internationally. Small tokens of appreciation can leave a lasting impact and help put Merri-bek firmly on the map for all the right reasons.

2. Policy Context

Officer's comments:

There are no policy implications associated with this proposal. Prior to the pandemic, Council maintained arrangements for the provision of corporate and official gifts; however, these practices were discontinued due to the suspension of official and dignitary visits during that period. As official visits have now resumed, such as school visits to educate students about Council operations, it is appropriate to source and maintain a supply of corporate gifts.

3. Financial Implications

Officer's comments:

The provision of corporate gifts can be sourced within existing budget allocations.

4. Resources Implications

Officer's comments:

There are no resource implications associated with this proposal.