



# Moreland City Council

## Minutes of the Council Meeting

Held at the Council Chamber, Moreland Civic Centre,  
90 Bell Street, Coburg  
on Wednesday 8 June 2022

The Mayor opened the meeting at 7 pm and stated the Council meeting is being held on the traditional country of the Wurundjeri Woi Wurrung people and acknowledged them as Traditional Owners. The Mayor paid respects to their Elders, past, present and emerging, and the Elders from other communities who may be here today.

Present	Time In	Time Out
Cr Mark Riley, Mayor	7 pm	10.06 pm
Cr Lambros Tapinos, Deputy Mayor	7.06 pm	10.06 pm
Cr Adam Pulford	7 pm	10.06 pm
Cr Angelica Panopoulos	7 pm	10.06 pm
Cr Annalivia Carli Hannan	7.23 pm	8.30 pm
Cr Helen Davidson	7 pm	10.06 pm
Cr Helen Pavlidis	7 pm	8.07 pm
Cr James Conlan	7 pm	10.06 pm
Cr Monica Harte	7 pm	10.06 pm
Cr Oscar Yildiz JP	7 pm	10.06 pm
Cr Sue Bolton	7 pm	10.06 pm

### OFFICERS

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

### APOLOGIES/LEAVE OF ABSENCE

Nil

## DISCLOSURES OF CONFLICTS OF INTEREST

Cr Yildiz disclosed a general conflict of interest in Item 7.7 Proposed sale of land – Unit 1, 6 Sutherland Street, Coburg as a relative lives in close proximity to this property.

Cr Carli Hannan disclosed a general conflict of interest in Item 7.7 Proposed sale of land – Unit 1, 6 Sutherland Street, Coburg as a relative lives in close proximity to this property.

## MINUTE CONFIRMATION

### Resolution

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

**The minutes of the Council Meeting held on 11 May 2022 and the Special Meeting held on 14 May 2022 be confirmed.**

**Carried**

*Cr Bolton abstained from voting as she was on a leave of absence and did not attend the meetings.*

## ACKNOWLEDGEMENTS AND OTHER MATTERS

Cr Pavlidis advised that she has notified the Chief Executive Officer in writing of her intention to run as a candidate in the November 2022 state government election and will apply for a leave of absence in line with the Councillor Code of Conduct.

## PETITIONS

Nil.

## PUBLIC QUESTION TIME

*Public Question Time commenced at 7.08 pm.*

### **PAULINE CARMICHAEL – QUESTION - 7.1 ACTIVE TRAVEL (WALKING AND RIDING) 10 YEAR CAPITAL PROGRAM**

- a) What date will the engagement reports from Wayfarer Consulting on the Albert Street, Victoria Street, Dawson Street and Northumberland Road trials be published on the Conversations webpage?

Focus groups were held in March and if there is a report being prepared for August Council meeting the community should have adequate time to read and respond well prior to the August meeting.

- b) When will traffic survey data be published on the same trials as in (a)?

I asked the question last month and was told all of the traffic survey has been uploaded and it is not there. Only Kent Road Conversations webpage has traffic survey data uploaded. This information is a critical part of assessing the trials and the community needs to be able to access this information well in advance of reports to the Councillors.

- c) When will the traffic survey data collected in March for all of the trials be uploaded on the Conversations webpages?

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

We do our best to share information with our community as soon as possible following any consultation, community surveys and transport surveys. In some circumstances this may take longer than expected due to resourcing constraints or the level of work that is needed to be done to present survey data and community sentiment feedback in ways that aid understanding.

Last month you were advised that all data that we had received had been uploaded. We have only just received the March data and are still analysing it. Data across all surveys and sites for March will be released together and well before the August meeting.

Albert Street, Victoria Street, Dawson Street and Northumberland Road engagement has concluded. We are in the process of reviewing the outcomes of the report and preparing responses to the feedback raised. This is in accordance with our Community Engagement Policy 2020 where we will reach out to participants of the engagement process at the end to advise them of the outcome and outline how their participation is influencing decision making.

7.11 pm Cr Tapinos left the meeting.

**JOHN ENGLART - QUESTION - 7.3 EARLY YEARS INFRASTRUCTURE PLAN 2022-2030**

Excellent and much needed Early Years plan. My congratulations to Council Officers

Is there any synthetic turf used in current early years facilities in Moreland?

When facilities are upgraded or new facilities implemented will Council take note of state of the art research on use of synthetic turf in early years education facilities, especially in regards to environmental issues and urban heat?

At the Mayor's request, Eamonn Fennessy, Director Community responded:

Under the leases the centre operators are responsible for the upgrade and maintenance of their outdoor areas. Some centres have very small areas of synthetic turf, however it is not the norm in most centres.

Synthetic turf is not recommended in any of our new centre outdoor areas. Existing centres can apply to the Victorian School Building Authority for ground upgrade grants and most are using this opportunity to provide natural play areas (for nature-based play) in their grounds and yards.

And yes, we absolutely consider current research on synthetic turf in relation to early years centres

**JOHN ENGLART - QUESTION - 7.4 AMENDMENT C201MORE - REZONING OF INDUSTRIAL LAND IN THE SHEPPARD AND NORRIS STREET COBURG NORTH PRECINCT**

I understand that according to the Urban Forest Strategy Moreland is still losing canopy across the municipality mainly due to increase in private developments.

What is the net result of vegetation and urban canopy of the rezoning of this site for residential development?

Will there be a net gain. To what extent, or will there be a loss?

At the Mayor's request, Joseph Tabacco, Director Place and Environment responded:

This amendment addresses the need for new development to positively respond to the urban heat island effect and improve the neighbourhood character of the precinct through landscaping. The draft schedule to the Incorporated Plan includes a requirement that all future planning applications have a landscape plan that considers existing vegetation to be retained as well as new vegetation.

The draft incorporated plan has a statement of preferred character that includes generous landscaping through retention of existing canopy trees and planting of new canopy trees. There are also specific requirements about the minimum number of canopy trees that should be provided in each precinct. This is positive given that there are currently no tree protection controls for any of the existing trees in the precinct.

Whether or not there is a net gain of vegetation will not be known until planning permit applications with landscape plans are considered, but given that there are a number of

sites in the precinct with not vegetation on them presently, it is likely that a net gain can be achieved.

## **GEOFF NICHOLSON - STATEMENT - 8.2 PRESERVING PEDESTRIAN SAFETY ON WARDENS WALK/ STOCKADE AVENUE DURING CONSTRUCTION**

A Construction Management Plan can be required by a condition of a planning permit or by a Council under its Local Laws

VCAT granted a planning permit for the development but didn't include a condition requiring approval of a CMP

Council officers expected a CMP to be required by Council and given the development's scale, duration and potential disruption Council should have required a CMP to be approved before building works were commenced

Since June 2021 I have been trying to convince Council that they should require a CMP for approval

Yesterday I was advised that Council now intends to require a CMP for the building works and I thank Council for this

However the delay and uncertainty around the CMP has caused grief to residents, members of the Owners Corporation and the Owners Corporation itself

Wardens Walk and Stockade Avenue are common property on the Pentridge subdivision.

During main construction the developer wants to make Wardens Walk and Stockade Avenue one way, remove multiple parking spaces and establish loading bays on Wardens Walk and Stockade Avenue

Council's Transport Planners recommend using Pentridge Boulevard rather than Wardens Walk and Stockade Avenue because of residents' wellbeing, potential safety risk to pedestrians, access and parking and Pentridge Boulevard being better suited to heavy traffic

At an Owners Corporation ballot on the use of Wardens Walk and Stockade Avenue Council voted in favor of using Pentridge Boulevard

Until recently Council maintained that Council had no control over the use of Wardens Walk and Stockade Avenue for the building works because they were private streets

Council was confused between the concept of ownership and control

Council is now obtaining legal advice on the extent to which Council can manage construction activities on Wardens Walk and Stockade Avenue

Wardens Walk and Stockade Avenue are not private streets

Wardens Walk and Stockade Avenue are public highways at common law, public roads under the *Roads Management Act* and public highways under the *Local Government Act*

Under the planning permit for the Pentridge subdivision Wardens Walk and Stockade Avenue must be able to be used by the public 24 hours a day, 365 days a year

The planning permit also requires that public access conforms with the public use, management and maintenance of other public roads and accessways in Moreland

So Council can and should manage construction activities on Wardens Walk and Stockade Avenue

If the developer proposes to use Wardens Walk and Stockade Avenue for construction activities then this should be included in any CMP

For reasons of safety, amenity and wellbeing of residents and the community generally and, to promote the Council's planning goals for Wardens Walk and Stockade Avenue to

be key pedestrian links, Council should not approve any CMP that uses Wardens Walk and Stockade Avenue for construction activity.

*Geoff Nicholson read his statement.*

**RUTH SANDY - QUESTION - PLANNED REMOVAL OF TWO RIVER RED GUM TREES ON BAIN AVENUE, OPPOSITE MERLYNSTON STATION**

Can you please tell us what you can do to save these trees?

Mayor, Cr Mark Riley responded:

Council can write to the Minister and the local member and have been advocating with in person and informal representations.

It is important the community also advocates directly to the local member and the Minister for Transport, The Hon. Ben Carroll because together we are going to have a much stronger voice rather than just relying on Council, it is up to all of us to do that.

*7.23 pm Cr Carli Hannan entered the meeting.*

**LISA WHEILDON - STATEMENT - PLANNED REMOVAL OF TWO RIVER RED GUM TREES ON BAIN AVENUE, OPPOSITE MERLYNSTON STATION**

I write to ask what Moreland City Council plans to do about the last-minute proposed removal of two mature River Red Gum trees next to the Merlynston train station?

I understand that local residents have been informed that the trees will be removed to install a drain for the Merlynston Station car park as part of the Victorian Government's Car Parks for Commuters project. I also understand that this decision has been made due to 'funding limitations'.

I know that this may be a State Government issue but I would like to raise three specific concerns that are of direct relevance to Moreland Council on this matter:

1. The decision appears to be in conflict with the Moreland Council's draft Climate Risk Strategy, which recognises the importance of trees as both a form of climate mitigation and adaptation.
2. As Gregory Moore, Doctor of Botany, from The University of Melbourne has written in The Conversation the river red gum is an iconic Australian eucalypt, which may grow more than 45m tall and live for up to 1,000 years. Older specimens almost always develop large hollows, which can take centuries to form. The hollows provide refuges for birds, mammals and reptiles. They have been used by Indigenous people in the local area for canoes, bowls, shields, and other utensils. In short, these mature river red gums are priceless.
3. Finally, it seems clear that this is a case of a short term financial expense being put ahead of very long term environmental, social and cultural benefits.

Thus, I believe it is imperative that Council acts to prevent this loss and destruction. I thank you for your attention to this matter.

*Lisa Wheildon read her statement*

**ANDREW TRIPEPI - QUESTION - RIDE SHARE – RULES OR GUIDELINES FOR USE OF FLOATING AND FIXED BAYS**

Why would a floating bay be required that is only a mere 200 metres from these fixed bays?

Where did as no MCC policy can show that a floating bay would be allowed to occur within 500 metres of permit requirements?

Is the floating bay something that has just happened or crept into the area with no consultation with residents?

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

I understand there are no parking restrictions in your street, and as a result there is no issue with people parking vehicles in the street, as long as they are parked legally and registered. This includes car share vehicle – the fact that Council's Parking Management Policy includes a process for allocating parking spaces for ride share purposes does not mean that those are the only spaces that those vehicles are permitted to park in.

Nevertheless, Council does have established relationships with car share companies, and has been in touch with Go Get to advise of the concerns of residents in the street.

Go Get has taken action to move the particular vehicle to a different location as a result.

### **LISA O'HALLORAN - STATEMENT - 7.1 ACTIVE TRAVEL (WALKING AND RIDING) 10 YEAR CAPITAL PROGRAM**

Firstly, we are disappointed that Council has decided to postpone key bike transport projects in years 1 to 3 of the programme. We are still in a pandemic, making public transport less desirable - and the cost of living is skyrocketing, with petrol over \$2 a litre and subsidies due to end in September. Riding a bike is a highly accessible and equitable means of transport when the infrastructure exists to allow people to travel safely. There is no better time to persist with the roll out of safe protected infrastructure for bikes and no better time to encourage more people to take up riding bikes for transport more often.

Moreland BUG would like to see the planned extension of the O'Hea Street shared path to Derby St and the proposed protected lanes on Decarle Street reinstated in the first two years of the capital works programme.

Secondly, Moreland BUG has long campaigned for separate bike and pedestrian budgets. It is now proposed to combine these again. We feel that this removes focus from the important work of making our City a safe place for people of all abilities to get to the places they want to go by bike. After giving the matter further consideration - Moreland BUG believes the budget should be split three ways - into bike projects, pedestrian projects and shared paths that benefit both groups.

Thirdly, we are concerned that Council's recent decision to undertake more consultation on bike projects is eroding the active transport budget. Consultation costs should sit outside the \$10 per head of rate revenue that Council has Council committed to spending on active transport infrastructure. This is exacerbated by unprecedented inflation in the construction sector which results in less physical projects on the ground that can make a difference to the lives of those that live in or visit our City. Moreland BUG submits that the \$10 per head should directly relate to the design and construction of projects.

*Lisa O'Halloran read her statement*

### **Question Time Extension**

#### **Resolution**

**Cr Panopoulos moved, Harte seconded -**

**That Question Public Time be extended by 30 minutes.**

**Carried**

*Public question time was extended at 7.38 pm.*

### **PAULINE CARMICHAEL - QUESTION - 7.1 ACTIVE TRAVEL (WALKING AND RIDING) 10 YEAR CAPITAL PROGRAM**

I noted in the draft Asset Plan that one of the significant projects for 2022-2026 was the Glenroy Road Shared Path - Cardinal Road to West Street Activity Centre-Glenroy at an estimated cost of \$730,000.

Why then is this same project in tonight's agenda page 23 marked in for 2030/31?

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

The 10 year active travel capital works program is a rolling 10-year program. This allows for changes to be made to the program based on external funding opportunities, joint projects with neighbouring councils, and reprioritisation of projects.

The Glenroy Road shared path project was pushed out as it represents a new route, and preference was given to filling missing links in existing routes. Pushing it out will also allow more time for consideration of alternative treatments to a shared path, noting the concerns with these paths for people that walk and ride when they have to mix.

## **Questions and Statements Taken On Notice**

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

### **MARION ATTWATER - STATEMENT**

Item 7.4 Amendment C201more

I think Councillors should be concerned that only 2 residents have made submissions to this Planning Scheme Amendment. In my opinion, Councillors should vote to re-exhibit this Amendment with a different community consultation approach. That is because the Planning Panel process does not currently have enough submissions in order to adequately scrutinise this Amendment. It is to the benefit of residents and ratepayers in the area to make submissions either for or against Amendment C201more, so that the Planning Panel can assess those views and ideas and to improve it.

Item 7.5 Amendment C212more

I think Councillors should defer this Amendment to the July Council meeting so that Councillors can have proper discussions about the Amendment. The attachment number 2 for this Amendment is 358 pages long.

Item 7.1 the Annual Review of the Ten Year Capital Works Program for Cycling and Pedestrian Infrastructure

My opinion is that the Officers Report does not fulfil the requirements of the Public Transparency Policy section 4.4.3 Council Data. The data and results of the bike lane trials in Albion Street, Dawson Street and Northumberland Road for March 2022 is not available on the Conversations Moreland website. The feasibility studies for east-west bike lane proposals have not been released to the public.

In my opinion, Councillors have not fulfilled their obligations under the public transparency principles and policy to make a decision on Item 7.1, other than to defer it to the July Council meeting with a resolution for the Council data to be made public.

Items 7.8 and 7.9, revised policies

I have already been in contact with Council via email, and in my opinion these items should be cancelled or deferred to another meeting.

Item 7.6 Amendment C221more Decision Gateway 1

In my opinion the Draft Explanatory Report for this Amendment needs to be considered by Councillors, because Councillors are the Planning Authority. This is a statutory process, and Councillors should insist on correct process.

Item 7.11 the Governance Report

My submission to this meeting is that the Vehicle Crossing Policy was supposed to undergo a substantive review in 2019-20 but hasn't.

And point 4 of the Officer Recommendations with an attached S11A Instrument of Appointment and Authorisation to enforce the Planning and Environment Act 1987 is 2 years overdue. Section 232 of the Local Government Act 1989 was repealed on 1 May

2020 and replaced with section 313 of the Local Government Act 2020. In my opinion this Governance Report is an admission of poor governance.

**ANDREW MCDONALD PLANNED REMOVAL OF TWO RIVER RED GUM TREES ON BAIN AVENUE, OPPOSITE MERLYNSTON STATION**

What is the council doing to stop the planned removal of two river red gum trees on Bain Avenue, opposite Merlynston Station?

**TATIANA STEPHENS - STATEMENT - PLANNED REMOVAL OF TWO RIVER RED GUM TREES ON BAIN AVENUE, OPPOSITE MERLYNSTON STATION**

Please do everything in your power to help us save the trees that the State Government is planning to destroy as part of the unnecessary car park expansion in Merlynston. The carpark project's own community consultation made clear that the community deeply values the green space and tree cover.

Our communities are getting hotter every year and Monash University has designated Coburg as one of Victoria's most at risk areas in their Heat Vulnerability Map. This research found that heat waves put community members at risk of serious health complications or even death. The research found that green cover and tree canopies are crucial for alleviating the urban heat island effect that can increase urban temperatures, and health risk, significantly.

It's bad enough that we're getting an unnecessary expanse of concrete in Merlynston and that we've already lost multiple established trees with this project.

Please stand up for Merlynston and advocate for the preservation of these trees - our at-risk community needs all the tree canopy it can get to help protect our most vulnerable members from the effects of extreme heat.

**MARION ATTWATER - QUESTION - MINUTES OF THE SPECIAL MEETING HELD ON 13 DECEMBER 2021**

Was there an introductory address to the Special Meeting held on 13 December 2021 by a Wurundjeri Woi-Wurrung Elder?

**HELEN HADJIMOURATIS - QUESTION - MEETING MINUTES**

Are the Proposed Minutes of the Special meeting held on 14 May 2022 a complete and accurate record of the meeting?

Was there an introductory address to the Special Meeting held on 13 December 2021 by a Wurundjeri Woi-Wurrung Elder?

*Public Question Time concluded at 7.40 pm.*

*7.41 pm Cr Tapinos returned to the meeting.*

## **COUNCIL REPORTS**

### **7.1 ACTIVE TRAVEL (WALKING AND RIDING) 10 YEAR CAPITAL PROGRAM**

#### **Executive Summary**

On 8 June 2021, Council last adopted the rolling 10-Year Capital Works Program for Active Travel (Walking and Riding). This is a rolling 10-year program that provides a longer-term outlook on capital works delivery to support active transport. It is designed to provide the flexibility to adjust the program each year to take advantage of emerging opportunities and changing priorities. This report reviews recent public engagement on the continuing program and priorities for the next 10 years.

In early 2022, an internal review was undertaken of the content and priorities in the walking and riding infrastructure programs. The proposed east-west bike riding routes (response to Council resolution NOM 8.12, 14 April 2021) on Glenlyon Road in Brunswick and Brunswick East, and Harding and Munro Streets in Coburg were added to the draft riding program.

Public engagement on the draft programs ran from 22 March to 19 April 2022 and was conducted via Conversations Moreland and three pop-up sessions. Additionally, letters were sent to all the properties on streets potentially affected by the proposed east-west bike riding routes (Glenlyon Road, Brunswick East and Munro and Harding Streets, Coburg) advising them of the engagement.

The engagement yielded a strong community response, with 932 individual pieces of feedback provided on an interactive map (“dropped pins”) and 292 survey submissions. The feedback is categorised by relevance to the capital works program (i.e. walking, riding or shared infrastructure).

The Upfield Shared User Path and Sydney Road, as routes that already attract high levels of active travel, unsurprisingly received the greatest number of requests for improvements. These routes continue to remain a key focus and priority of Council. It is also important to encourage growth in walking and riding through projects that strategically improve the walking and riding network throughout Moreland.

A list of the highest priority projects supporting walking (including wheeling and scooting) has been put together utilising the consultation feedback, as well as general feedback received throughout the year. It is expected that these projects will take multiple years to assess feasibility, design and deliver. New projects will be considered during each annual review and prioritised accordingly.

Overall, the feedback Council received indicated support for the bike riding program, with one major emerging theme: to fast track the program to address the climate emergency.

Key changes made to the draft program that went out to public engagement include:

- Combining the pedestrian and bicycle programs in a single active transport program noting that many projects benefit both people that walk and ride
- Nominating the east-west bike riding routes for the second half of the program (years 5 to 10) to allow for extensive community consultation to determine the appropriate treatment and route that best addresses community needs and feedback.
- Starting design and development of a missing link near Coburg High School in Year 3 (this suggestion came through the engagement process and is considered to have strategic merit to warrant inclusion in the early years of the program)
- Reprioritising the upgrading of the shared path adjacent to the CityLink to start design and development in Year 8. Given there is an existing route here that provides an acceptable facility, priority has been given in the shorter term to the creation of new routes and facilities where there is currently nothing.
- More the doubling the annual budget for ‘Public transport access and interchange’ from \$62,000 to \$142,000 in 2022/23 (and then indexed thereafter) for pedestrian improvements bus stops and shelter, and infrastructure needed to access bus, tram and train stops such as raised thresholds, improved road crossings etc
- Introducing an annual budget for zebra crossings (or other safe road crossings) for pedestrians of \$50,000 in 2022/23 (and then indexed thereafter)
- Reducing the annual bike parking budget to \$50,000 (previously \$80,000) noting that Council is more than meeting the annual target to install 200 new parking spaces for bicycles with less than \$80,000.

Projects in the 10-Year Capital Works Program for Active Travel will be developed and delivered in accordance with the community engagement process for bicycle projects adopted by Council in March 2022 (7.2 Kent Road Separated Bike Lane).

Some of the 932 ‘dropped pins’ related to feedback that does not directly relate to capital works for active travel. Comments/suggestions including minor maintenance issues, advocacy items to the Victorian Government, and general traffic calming. These comments have all been recorded and will be addressed separately through the appropriate areas and budgets of Council.

## Officer Recommendation

That Council:

1. Adopts the 10 Year Capital Works Program for Active Travel (Walking and Riding) at Attachment 1 to this report.
2. Notes the feedback on possible separated bicycle lanes on Glenlyon Road in Brunswick and Brunswick East, and Munro and Harding Streets in Coburg.

## Resolution

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

That Council:

1. **Adopts the 10 Year Capital Works Program for Active Travel (Walking and Riding) at Attachment 1 to this report with the following changes:**
  - a) **Maintain separate bike and pedestrian budgets, and create a third budget category ‘shared paths’, for genuinely shared infrastructure such as the bridges over the creeks. This is to maintain maximum transparency.**
  - b) **Reinstate the O’Hea Street shared path to Derby St and the proposed separated lanes on De Carle Street to the first two years of the capital works program.**

**Carried unanimously**

**Carried**

Cr Riley called for a division.

<b>For</b>	<b>Against</b>	<b>Abstained</b>
Cr Bolton	Cr Davidson	Cr Carli Hannan
Cr Pulford	Cr Yildiz	Cr Tapinos
Cr Panopoulos	Cr Pavlidis	
Cr Conlan		
Cr Riley		
Cr Harte		
<b>Total For (6)</b>	<b>Total Against (3)</b>	<b>Total Abstained (2)</b>

2. **Notes the feedback on possible separated bicycle lanes on Glenlyon Road in Brunswick and Brunswick East, and Munro and Harding Streets in Coburg.**

**Carried**

## 7.2 SEASONAL OUTDOOR POOLS OPERATING HOURS

### Executive Summary

In preparing this report, officers have reviewed the current outdoor swimming pool related policy and operating hours, considered daily attendance data against weather temperatures and conditions, as well as considering the operations of all six centres and overall costs per visit and benchmarking against other Councils.

Moreland has five outdoor swimming pools:

Pool	Operating season	Operating hours
Brunswick Baths - Outdoor	Year round	Winter and summer operating hours
Oak Park Sports and Aquatic Centre	Seasonal – 1 October to 31 April (7 months)	Open every day with temperature triggers and for waterslide during the school term
Fawkner Leisure - Outdoor	Seasonal – 1 December – 31 March (4 months)	Open every day during school holidays with temperature triggers during school term
Coburg Olympic Swimming Pool	Seasonal – 1 December – 31 March (4 months)	Open every day during school holidays with temperature triggers during school term
Pascoe Vale Outdoor Pool	Seasonal – 1 December – mid March (3.5 months)	Open every day during school holidays with temperature triggers during school term

The Moreland community has excellent provision of swimming pools compared to the metropolitan Melbourne Local Government area average. Based on current population statistics, Moreland provides one pool per 30,784 people. The Melbourne metropolitan average in 2018 was approximately one pool per 63,000 people.

The annual cost to operate each of Moreland's seasonal outdoor pools is more than \$200,000 with a combined average of 16,898 attendances per annum per seasonal outdoor pool. The combined annual subsidy for the four outdoor pools in Moreland is \$11.83 per customer (excluding Brunswick Baths).

The current operating hours and arrangements for outdoor pools provide considerable operational flexibility. Outdoor pools can be opened earlier in the day or closed later in the evening when temperatures are forecast to be 31 degrees and above and there is high community patronage. They can also be closed on colder days when the temperature is forecast to be 21 degrees or below and community patronage is likely to be low. Many other Local Government seasonal outdoor pools are managed in this way.

Additional operating hours during the season over and above the set hours will cost Council approximately \$105.00 per hour inclusive of oncosts per pool.

Table 4 shows the correlation of daily temperatures to attendances for January over the past two years. Where the seasonal pools have remained open regardless of temperature, attendances significantly reduce on cooler days of 23 degrees and below. The return of the school year in Term 1 also sees a significant reduction of weekday patronage.

Based on this attendance data, significant changes to the base hours or temperature triggers for the three seasonal pools (Coburg Olympic, Pascoe Vale and Fawkner Outdoor) is not recommended. The current policy allows for daily extension of hours based on temperature trigger points.

Any changes recommended to the operating hours would be to:

- Extend the weekend hours, opening the pools 1 hour earlier at 11am instead of 12 noon. There are approximately 34 weekend days per season at \$105.00 per hour for three seasonal pools would equate to \$10,710 for the 2022-23 summer season

The remaining balance of additional funding allocated for 2022-23 should be assigned to the extension of weekend hours and the balance of funding to additional marketing and promotion of the seasonal outdoor pools to encourage greater community awareness and visitation of the outdoor pools.

At its May 2022 meeting Council received a petition requesting the summer season be extended at Oak Park Sport and Aquatic Centre. The season at Oak Park is generally seven months, but due to COVID restrictions in place at the time of the scheduled opening on 1 October 2021, this wasn't able to be achieved. The pool opened when restrictions were lifted on 26 October. The cost of extending the season by one month (May) at Oak Park Sport and Aquatic Centre would be approximately \$43,000 in operating costs which includes utility costs of \$26,000 to continue to heat and run the pool. Based on the decline in attendance each month as the season changes (as shown in Table 3 and Attachment 2) this is not considered a viable option and is not recommended.

## **Officer Recommendation**

That Council:

1. Notes the current arrangements in place to extend the summer season (open in November and April) for outdoor pools based on when hot weather is forecast, at an approximate cost of \$5,000 per week per pool in operational and staffing costs.
2. Extends weekend operating hours to open at 11am instead of 12 noon at each of the three seasonal pools at \$105 per hour equating to an approximate cost of \$10,710 for the 2022-23 summer season for all three seasonal pools.
3. Allocates the balance of the \$26,000 allocated to the draft 2022-23 budget for the expansion of the outdoor pool hours, to additional signage, promotion and marketing of the three seasonal outdoor pools to increase community awareness and use of the facilities.
4. Note the advice in this report regarding the cost implications of extending the Oak Park Sports and Aquatic Centre by one month, which is not recommended.

## **Resolution**

**Cr Bolton moved, Cr Panopoulos seconded -**

**That Council:**

1. **Notes the current arrangements in place to open either of the three seasonal pools before the official summer season commences on 1 December or to extend the season beyond mid-March for Pascoe Vale Outdoor Pool and beyond 31 March for Fawkner Leisure Outdoor and Coburg Olympic Swimming Pool based on the long-range weather fore-casts, at an approximate cost of \$5,000 per week per pool in operational and staffing costs.**
2. **Brings forward the timing of Council's assessment of the long-range weather forecast to enable the council to open the seasonal outdoor pools by 1 November if the weather is likely to be hot.**

3. Extends weekend operating hours to open at 11am instead of 12 noon at each of the three seasonal pools at \$105 per hour equating to an approximate cost of \$10,710 for the 2022-23 summer season for all three seasonal pools.
4. Trials extended opening hours of 2pm instead of 3pm during the school term on days forecast to be 20 degrees or more at Pascoe Vale Outdoor Pool and Coburg Olympic Swimming Pool at an approximate cost of \$7500 per pool.
5. Continues to work with the YMCA to improve signage, promotion and marketing of the three seasonal outdoor pools to increase community awareness of the new hours.
6. Notes the advice in this report regarding the cost implications of extending the Oak Park Sports and Aquatic Centre by one month, which is not recommended.

**Carried unanimously**

### **7.3 EARLY YEARS INFRASTRUCTURE PLAN 2022-2030**

#### **Executive Summary**

In June 2021 Council adopted the *Children, Young People and Families Plan 2021-2025*; which set the strategic framework for the development of an *Early Years Infrastructure Plan 2022-2030 (EYIP)* to support continued investment in new and expanded infrastructure to deliver early years services to Moreland's growing community.

This report seeks adoption of the EYIP (The Plan) and identifies a clear, well planned and cost-effective approach to investment in the expansion and modernisation of facilities, together with the development of new facilities to provide better outcomes for children and families.

The funding strategy to deliver the Plan is underpinned by a co-investment approach, whereby Council has entered into an agreement with the Department of Education and Training known as the Building Blocks Partnership which will see a contribution of \$10 million of State Government funding in the first 5 years and in principal agreement to further funding of \$8 million for projects to be delivered between 2026 to 2029.

The Plan assesses the current provision and projected demand for early years infrastructure until 2030. The proposed infrastructure projects in the Plan will address the identified needs in alignment with Council's *Community Infrastructure Plan* and will assist in achieving the vision of the *Children, Young People and Families Plan 2021-2025* of a community where children, young people and families are healthy, resilient, empowered, safe and belong.

#### **Officer Recommendation**

That Council:

1. Adopts the Early Years Infrastructure Plan 2022–2030.

*8.07 pm Cr Pavlidis left the meeting and did not return.*

#### **Resolution**

**Cr Carli Hannan moved, Cr Tapinos seconded -**

That Council:

1. **Adopts the Early Years Infrastructure Plan 2022–2030.**

**Carried unanimously**

## 7.4 AMENDMENT C201MORE - REZONING OF INDUSTRIAL LAND IN THE SHEPPARD AND NORRIS STREET COBURG NORTH PRECINCT - DECISION GATEWAY 2 - CONSIDERATION OF SUBMISSIONS AND REQUEST FOR A PANEL

### Executive Summary

Amendment C201more proposes to rezone land at 3-5, 4, 6, 7, 8, 10 and 16-20 Sheppard Street, 2-4 and 6 Norris Street and part of 39A Shorts Road Coburg North from industrial to residential. The amendment proposes introducing an Incorporated Plan Overlay to guide future residential development on the land and apply the Environmental Audit Overlay to manage any potential contamination risks.

Council exhibited Amendment C201more from 7 April 2022 to 13 May 2022. The Amendment received five submissions during the formal exhibition period. One late submission was received prior to the preparation of this report and has been included in the summary of submissions. There was one submission partially supporting the amendment, two supporting the amendment, one not supporting the amendment and two responses from referral agencies that did not raise any concerns with the amendment.

Key themes raised in the submissions relate to:

- mandating affordable housing;
- strategic justification of the amendment;
- impact on the transport system; and
- design of the amendment in conjunction with Hosken Reserve masterplan.

This report recommends that Council requests the Minister for Planning appoint an Independent Planning Panel to consider the Amendment and submissions.

### Officer Recommendation

That Council:

1. Using its powers as a Planning authority under s23(1) of the *Planning and Environment Act 1987*, requests that the Minister for Planning appoint an Independent Planning Panel to consider all submissions to Moreland Planning Scheme Amendment C201more.
2. Endorses the responses to submissions as set out in Attachment 1 to this report to form the basis of Council's submission to an Independent Planning Panel.
3. Refers any late submissions to the Independent Planning Panel appointed to consider the Amendment and submissions.
4. Authorises the Director Place and Environment to make minor changes to Moreland Planning Scheme Amendment C201more and give direction on issues which arise in the course of the Panel hearing in response to expert evidence and submissions if required.

### Motion

Cr Conlan moved, Cr Pulford seconded -

That Council:

1. Using its powers as a Planning authority under s23(1) of the *Planning and Environment Act 1987*, requests that the Minister for Planning appoint an

Independent Planning Panel to consider all submissions to Moreland Planning Scheme Amendment C201more.

2. Endorses the responses to submissions as set out in Attachment 1 to this report to form the basis of Council's submission to an Independent Planning Panel.
3. Refers any late submissions to the Independent Planning Panel appointed to consider the Amendment and submissions.
4. Authorises the Director Place and Environment to make minor changes to Moreland Planning Scheme Amendment C201more and give direction on issues which arise in the course of the Panel hearing in response to expert evidence and submissions if required.
5. Amends the draft Schedule 5 to the Incorporated Plan Overlay to include a decision guideline that requires seeking the views of adjoining owners and occupiers (outside of the precinct) before a decision is made about a planning permit application to use or develop land in that part of the precinct in the General Residential Zone and that this will be included in Council's submission to an Independent Planning Panel and authorises the Director Place and Environment to finalise the wording of the decision guideline.

8.11 pm Cr Yildiz left the meeting.

8.14 pm Cr Yildiz returned to the meeting.

### **Amendment**

Cr Bolton moved, Cr Harte seconded –

That Point 5 be amended as follows:

5. Amends the draft Schedule 5 to the Incorporated Plan Overlay to include a decision guideline that requires seeking the views of adjoining owners and occupiers (outside of the precinct) **up to 500 metres from the site** before a decision is made about a planning permit application to use or develop land in that part of the precinct in the General Residential Zone and that this will be included in Council's submission to an Independent Planning Panel and authorises the Director Place and Environment to finalise the wording of the decision guideline.

8.17 pm Cr Tapinos left the meeting.

**Lost**

### **Resolution**

Cr Conlan moved, Cr Pulford seconded -

That Council:

1. **Using its powers as a Planning authority under s23(1) of the *Planning and Environment Act 1987*, requests that the Minister for Planning appoint an Independent Planning Panel to consider all submissions to Moreland Planning Scheme Amendment C201more.**
2. **Endorses the responses to submissions as set out in Attachment 1 to this report to form the basis of Council's submission to an Independent Planning Panel.**
3. **Refers any late submissions to the Independent Planning Panel appointed to consider the Amendment and submissions.**
4. **Authorises the Director Place and Environment to make minor changes to Moreland Planning Scheme Amendment C201more and give direction on issues which arise in the course of the Panel hearing in response to expert evidence and submissions if required.**

5. **Amends the draft Schedule 5 to the Incorporated Plan Overlay to include a decision guideline that requires seeking the views of adjoining owners and occupiers (outside of the precinct) before a decision is made about a planning permit application to use or develop land in that part of the precinct in the General Residential Zone and that this will be included in Council's submission to an Independent Planning Panel and authorises the Director Place and Environment to finalise the wording of the decision guideline.**

8.21 pm Cr Pulford left the meeting.

8.21 pm Cr Tapinos returned to the meeting.

8.23 pm Cr Pulford returned to the meeting.

**Carried**

Cr Bolton called for a division.

<b>For</b>	<b>Against</b>
Cr Davidson	Cr Bolton
Cr Yildiz	Cr Harte
Cr Pulford	
Cr Panopoulos	
Cr Conlan	
Cr Carli Hannan	
Cr Riley	
Cr Tapinos	
<b>Total For (8)</b>	<b>Total Against (2)</b>

## **7.5 AMENDMENT C212MORE -PLANNING SCHEME UPDATES AND CORRECTIONS - DECISION GATEWAY 3 - CONSIDERATION OF PANEL REPORT AND DECISION ON THE AMENDMENT**

### **Executive Summary**

Amendment C212more aims to improve the operation of the Moreland Planning Scheme and planning permit decision making by:

- Introducing new policy content and planning permit application requirements.
- Correcting anomalies and errors/inconsistencies in the Moreland Planning Scheme.

Council exhibited Amendment C212more from 7 October 2021 to 5 November 2021. The Amendment received 13 submissions. Council resolved in December 2021 to request the Minister for Planning to appoint an Independent Panel to consider the submissions.

A Panel Hearing was held on 17 March 2022 and the report released to Council on 10 May 2022. The Panel report was generally supportive. The Panel noted that the Amendment was well founded and strategically justified. The Panel recommended that the Amendment be adopted subject to changes, including:

- Updating the wording of Clause 2.03-7 Transport.
- Updating wording and relocating proposed local policies in Clause 18 to reflect State Government changes introduced via Amendment VC204.
- Abandoning the proposed local policy at Clause 11.03.1L Activity Centres in Moreland.
- Removing reference to the *Guidelines for Assessing Planning Permit Applications*, Heritage Victoria, 2007 from Clause 15.01-3L Heritage in Moreland and the Schedule to Clause 72.08 Background documents.

It is recommended that Council adopt Amendment C212more with the changes recommended by the Panel and discussed at Section 3 of this report and submit the Amendment to the Minister for Planning for approval.

### **Officer Recommendation**

That Council:

1. Notes the findings and recommendations of the C212more Panel included at Attachment 1 to this report.
2. Adopts Amendment C212more to the Moreland Planning Scheme pursuant to Section 29(1) of the *Planning and Environment Act 1987*, as exhibited and with the changes recommended by the Planning Panel and discussed at Section 3 of this report and shown at Attachment 2.
3. Submits Amendment C212more to the Moreland Planning Scheme to the Minister for Planning for approval, pursuant to section 31 of the *Planning and Environment Act 1987*.

### **Resolution**

**Cr Panopoulos moved, Cr Pulford seconded -**

That Council:

1. **Notes the findings and recommendations of the C212more Panel included at Attachment 1 to this report.**
2. **Adopts Amendment C212more to the Moreland Planning Scheme pursuant to Section 29(1) of the *Planning and Environment Act 1987*, as exhibited and with the changes recommended by the Planning Panel and discussed at Section 3 of this report and shown at Attachment 2.**
3. **Submits Amendment C212more to the Moreland Planning Scheme to the Minister for Planning for approval, pursuant to section 31 of the *Planning and Environment Act 1987*.**

**Carried**

## **7.6 AMENDMENT C221MORE - DEVELOPER CONTRIBUTIONS PLAN - PROJECT SUBSTITUTION - DECISION GATEWAY 1**

### **Executive Summary**

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

The Moreland Development Contributions Plan (Moreland DCP) established an obligation on Council to collect levies in line with specified rates in the Moreland Planning Scheme, deliver the infrastructure projects listed in the DCP's incorporated document, and spend the collected levies on these projects.

The *Planning and Environment Act 1987* sets out the legislative requirements to guide the operation of DCPs, whilst Victorian Government guidelines inform their preparation and review, and Ministerial Directions inform Council's annual reporting for the Moreland DCP.

In April 2022, the Minister for Planning approved an extension to the delivery date for completing the DCP's infrastructure projects to 30 June 2026. The expiry date for collecting DCP levies/contributions remains at 30 June 2023.

Ongoing monitoring and review has found some of the Moreland DCP's infrastructure projects will not be done before the 30 June 2026 deadline. This is due to changes to the capital works program over time, associated with updated Council policy and strategic priorities. Changing infrastructure standards and the Covid-19 pandemic have also influenced the timing and scope of some projects.

Amendment C221more proposes to update the Moreland DCP's infrastructure project list by:

- Removing those projects no longer scheduled for delivery by the deadline.
- Including replacement projects for delivery.
- Redefining other projects where there has been a change in scope for their delivery.

This report recommends that Amendment C221more be prepared so the existing Moreland DCP (last amended May 2021) incorporated document can include an updated infrastructure projects list for delivery by the 30 June 2026 deadline.

## Officer Recommendation

That Council:

1. Using its powers as a planning authority under section 8A of the *Planning and Environment* 1987, seeks authorisation from the Minister for Planning to prepare Moreland Planning Scheme Amendment C221more, for the revised infrastructure project list to be included in an updated version of the Moreland Development Contributions Plan (amended 2021) incorporated document.
2. Following receipt of the Minister's authorisation exhibits the Amendment in accordance with Section 19 of the *Planning and Environment Act* 1987 and as outlined in Section 4 of this report.

Authorises the Director Planning and Environment to make changes to the Amendment based on expert advice or to ensure that the infrastructure project list reflects the adopted 2022-26 Council budget or in response to conditions imposed in any authorisation granted by the Minister for Planning.

## Resolution

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

**That Council:**

1. **Using its powers as a planning authority under section 8A of the *Planning and Environment* 1987, seeks authorisation from the Minister for Planning to prepare Moreland Planning Scheme Amendment C221more, for the revised infrastructure project list to be included in an updated version of the Moreland Development Contributions Plan (amended 2021) incorporated document.**
2. **Following receipt of the Minister's authorisation exhibits the Amendment in accordance with Section 19 of the *Planning and Environment Act* 1987 and as outlined in Section 4 of this report.**
3. **Authorises the Director Planning and Environment to make changes to the Amendment based on expert advice or to ensure that the infrastructure project list reflects the adopted 2022-26 Council budget or in response to conditions imposed in any authorisation granted by the Minister for Planning.**

**Carried unanimously**

Cr Yildiz disclosed a general conflict of interest in item 7.7 as a relative lives in close proximity to this property and left the meeting.

Cr Carli Hannan disclosed a general conflict of interest in item 7.7 as a relative lives in close proximity to this property and left the meeting.

8.30 pm Cr Yildiz left the meeting.

8.30 pm Cr Carli Hannan left the meeting.

## **7.7 PROPOSED SALE OF LAND - UNIT 1, 6 SUTHERLAND STREET COBURG**

### **Executive Summary**

In 1983 Council purchased land next to its offices on Bell Street, as part of the strategic acquisition and consolidation of land. One of the lots purchased was an occupied home, and Council came to an agreement to purchase another unit for the owner of this home and grant her a life tenancy.

Council bought Unit 1/6 Sutherland Street Coburg, marked in Attachment 1, in 1997 and granted the owner of one of the acquired properties on Urquhart Street adjacent to the Coburg Civic Centre life tenancy to live at the Sutherland Street property. In December 2021 Council's Property Officers were advised that the tenant had passed away and formal notices were forwarded to the family requesting that the property be returned to Council as per agreement. This has now happened.

Internal consultation has been undertaken to assess if there is any alternate municipal use for the site, including consideration for its use as affordable housing. The assessment concludes that the unit is likely to be of minimal interest to affordable housing providers and is not needed for any other use, and is therefore surplus to Council's needs.

Prior to Council taking control of the site on 31 March 2022, Council officers undertook an internal inspection which revealed that approximately \$10,000 is required to bring the property up to market standard.

It is proposed to sell the subject site by public auction. The sale of the subject site will provide income to reinvest into other strategic Council projects.

The purpose of this report is to commence the Statutory Process under the *Local Government Act 2020* and Council's Community Engagement Policy to sell the land.

### **Officer Recommendation**

That Council:

1. Notes the outcome of a strategic assessment that concludes the Council owned site known as Unit 1/6 Sutherland Street, Coburg has no municipal use, and declares it surplus to Council's needs
2. In accordance with section 114 of the *Local Government Act 2020* and Council's Community Engagement Policy, authorises a public notice be given of its intention to sell the site known as Unit 1, 6 Sutherland Street, Coburg. (Certificate of title V10330 F234).
3. Receives a further report outlining any community feedback received.

### **Motion**

Cr Conlan moved, Cr Bolton seconded -

That Council:

1. Does not sell the property at unit 1, 6 Sutherland Street, Coburg, and instead, retains the property in Council ownership for the purposes of providing a form of

publicly-owned housing for people who are vulnerable, such as refugees, First Nations people, or other people at risk of homelessness.

2. Directs that an Expression of Interest process be carried out that:
  - a) Gauges the interest and capacity of registered housing providers to provide long term affordable housing at the unit site to a household in housing need, selected from the Victorian Housing Register for social housing; including what resources and conditions they would require in order to do so.
3. Receives a further report outlining the outcome of the Expression of Interest process and the potential options for the future of this property.

**Lost**

Cr Conlan called for a division.

<b>For</b>	<b>Against</b>
Cr Bolton	Cr Davidson
Cr Conlan	Cr Pulford
Cr Harte	Cr Panopoulos
	Cr Riley
	Cr Tapinos
<b>Total For (3)</b>	<b>Total Against (5)</b>

## **Resolution**

**Cr Panopoulos moved, Cr Pulford seconded -**

**That Council:**

1. **Directs that an Expression of Interest process be carried out that:**
  - a) **Gauges the interest and capacity of registered housing providers to provide long term affordable housing at the unit site to a household in housing need, selected from the Victorian Housing Register for social housing; including what resources and conditions they would require in order to do so; and**
  - b) **Invites other community groups and charities to submit ideas on how they could make use of this existing Council asset.**
2. **Receives a further report outlining the outcome of the Expression of Interest process and the potential options for the future of this property.**

**Carried**

Cr Panopoulos called for a division.

<b>For</b>	<b>Against</b>
Cr Bolton	Cr Conlan
Cr Davidson	Cr Tapinos
Cr Pulford	
Cr Panopoulos	
Cr Riley	
Cr Harte	
<b>Total For (6)</b>	<b>Total Against (2)</b>

9.05 pm Cr Yildiz returned to the meeting.

## **7.8 STREET NUMBERING POLICY**

### **Executive Summary**

The purpose of this policy is to give a clear understanding of the process that Council uses to number properties in the municipality. Council recognises that it has a responsibility to the community to ensure the clear identification of properties through accurate street numbering. This responsibility also extends to ensuring statutory authorities and emergency services can identify individual properties readily and accurately from Council's street numbering policy.

The proposed changes that are incorporated in the updated Street Numbering Policy (detailed further in the issues section of this report) include:

- Changes in roles and responsibilities;
- Addition of enforcement guidelines in accordance with Council General Local Law 2018-Part 12;
- Changes in who receives notification of street numbering; and
- Allowing consultation between affected property owners and Council prior to final numbering.

The updated policy provides a clearer process and procedure to numbering (or re-numbering) properties within the municipality.

### **Officer Recommendation**

That Council adopts the revised Street Numbering Policy, at Attachment 1 to this report.

### **Resolution**

**Cr Pulford moved, Cr Panopoulos seconded -**

**That Council adopts the revised Street Numbering Policy, at Attachment 1 to this report.**

9.05 pm Cr Tapinos left the meeting.

9.05 pm Cr Bolton left the meeting.

**Carried**

## **7.9 LOANS AND BORROWING POLICY**

### **Executive Summary**

The purpose of this report is to seek Council endorsement of a revised Loans and Borrowing Policy, shown at Attachment 1. The current Loan Borrowing Policy was approved by Council in May 2010 and was due for review in February 2015.

The revised policy provides the appropriate parameters for Council to undertake borrowings without compromising the application of sound fiscal management principals. The policy framework allows Council the flexibility to respond to funding requirements while minimising risk.

The borrowing policy ensures that Council has a sound financial framework on which to:

- Undertake borrowings;
- Manage its loan portfolio; and

- Adhere to the provisions of the *Local Government Act 2020* (LGA).

This policy applies when Council is considering and determining the 4-year budget and will be adhered to when reviewing Council's 10-year Financial Plan.

### **Officer Recommendation**

That Council adopts the revised Loans and Borrowing Policy, at Attachment 1 to this report.

### **Resolution**

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

**That Council adopts the revised Loans and Borrowing Policy, at Attachment 1 to this report.**

9.07 pm *Cr Bolton returned to the meeting.*

**Carried**

9.08 pm *Cr Tapinos returned to the meeting.*

## **7.10 FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 30 APRIL 2022**

### **Executive Summary**

This report presents the Financial Management Report for the financial year to date period ending 30 April 2022.

A detailed financial review was undertaken across the organisation throughout March as part of the 2021/22 Third Quarter Financial Review. The results of this review are included in this report as the Full Year Revised Forecast.

The April Income Statement shows the Council surplus is \$9.6 million better than the year-to-date Revised Forecast as a result of higher overall revenue and lower overall expenditure. These differences are considered largely timely in nature.

Council has spent \$40.2 million on capital expenditure which is line with the year-to-date Revised Forecast.

### **Officer Recommendation**

That Council notes the Financial Management Report for the period ended 30 April 2022, at Attachment 1 to this report.

### **Resolution**

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

**That Council notes the Financial Management Report for the period ended 30 April 2022, at Attachment 1 to this report.**

**Carried unanimously**

## 7.11 GOVERNANCE REPORT - JUNE 2022 - CYCLICAL REPORT

### Executive Summary

The Governance report is prepared as a monthly standing report to Council which provides a single reporting platform for a range of statutory compliance, transparency, and governance related matters.

This Governance report includes:

- Records of Meetings, with a recommendation that Council notes the records.
- Responses to Public Question Time items taken on notice at the 13 April and 11 May 2022 Council meeting, with a recommendation that Council notes the responses.
- Following Council's decision at the May Council meeting to undertake the statutory process to renew the Coburg Central Shopping Precinct Special Charge Scheme, a recommendation to appoint Councillors to a Hearing of Submissions Committee, established by Council under section 223(1)(b)(i) to hear any person who in their written submission have requested to be heard in support of their submission.
- A recommendation that Council appoints and authorises the Council officers referred to in the Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) (Attachment 3).
- An amendment of Council's Vehicle Crossing Policy to reflect the change in organisational structure and recommends that Council adopts the amended Policy (Attachment 4).
- A request by Glen Eira City Council to support their submission to the upcoming June Municipal Association of Victoria State Council Meeting where they seek to advocate to the State Government and Environment Protection Authority Victoria for regulatory change on the use of woodfire heaters in urban areas, and measures to support households to transition to sustainable electric heating options.

### Officer Recommendation

That Council:

1. Notes the Records of Meetings, at Attachment 1 to this report.
2. Notes responses to questions taken on notice during Public Question Time at the May 2022 Council meeting, at Attachment 2 to this report.
3. As part of the statutory process to renew the Coburg Central Shopping Precinct Special Charge Scheme, appoints Councillor .....as Chair, and appoints Councillors .....and .....to a Hearing of Submissions Committee, established by Council under section 223(1)(b)(i), to hear any persons who in their written submissions under section 223 of the *Local Government Act 1989* have requested they be heard in support of their submissions.
4. In the exercise of the powers conferred by section 147(4) of the *Planning and Environment Act 1987* and section 313 of the *Local Government Act 2020*:
  - a) Appoints and authorises Council staff referred to in the Instrument at Attachment 3 of this report, as set out in the instrument.
  - b) Determines the instrument comes into force immediately, the common seal of Council is affixed to the instruments and remains in force until Council determines to vary or revoke it.
  - c) Authorises the affixing of Council's common seal.
5. Adopts the Vehicle Crossing Policy as amended at Attachment 4 to this report.

6. Supports the proposed MAV State Council motion by Glen Eira City Council in advocating to the State Government and Environment Protection Authority Victoria for regulatory change on the use of woodfire heaters in urban areas, and measures to support households to transition to sustainable electric heating options.
7. Request the Director Place and Environment provide written confirmation to Glen Eira City Council of Council's decision in point 6 above.

## **Resolution**

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

**That Council:**

1. **Notes the Records of Meetings, at Attachment 1 to this report.**
2. **Notes responses to questions taken on notice during Public Question Time at the May 2022 Council meeting, at Attachment 2 to this report.**
3. **As part of the statutory process to renew the Coburg Central Shopping Precinct Special Charge Scheme, appoints Councillor Pulford as Chair, and appoints Councillors Carli Hannan and Bolton to a Hearing of Submissions Committee, established by Council under section 223(1)(b)(i), to hear any persons who in their written submissions under section 223 of the *Local Government Act 1989* have requested they be heard in support of their submissions.**
4. **In the exercise of the powers conferred by section 147(4) of the *Planning and Environment Act 1987* and section 313 of the *Local Government Act 2020*:**
  - a) **Appoints and authorises Council staff referred to in the Instrument at Attachment 3 of this report, as set out in the instrument.**
  - b) **Determines the instrument comes into force immediately, the common seal of Council is affixed to the instruments and remains in force until Council determines to vary or revoke it.**
  - c) **Authorises the affixing of Council's common seal.**
5. **Adopts the Vehicle Crossing Policy as amended at Attachment 4 to this report.**
6. **Supports the proposed MAV State Council motion by Glen Eira City Council in advocating to the State Government and Environment Protection Authority Victoria for regulatory change on the use of woodfire heaters in urban areas, and measures to support households to transition to sustainable electric heating options.**
7. **Request the Director Place and Environment provide written confirmation to Glen Eira City Council of Council's decision in point 6 above.**

**Carried unanimously**

## **NOTICES OF MOTION**

### **8.1 SAFETY ON NICHOLSON STREET, COBURG**

#### **Motion**

That Council:

1. Receives a report including the following information:
  - a) Data on crash statistics along Nicholson Street, Coburg and Holmes Street, Brunswick.
  - b) Any data on changes to pedestrian movements along Nicholson St Coburg and Holmes St Brunswick.
  - c) Any progress on discussions with VicRoads about the proposal for a 40km speed limit on Nicholson Street & Holmes Street plus any other proposals from VicRoads to make these two roads safer and when council had the most recent contact with VicRoads about this issue.
2. Renews its advocacy to VicRoads and Minister for Roads and Road Safety Ben Carroll for Nicholson Street, Coburg and Holmes Street, Brunswick to be a 40km zone and any further safety improvements to these roads.

#### **Resolution**

**Cr Bolton moved, Cr Panopoulos seconded -**

That Council:

1. **Receives a report including the following information:**
  - a) **Data on crash statistics along Nicholson Street, Coburg and Holmes Street, Brunswick.**
  - b) **Any data on changes to pedestrian movements along Nicholson St Coburg and Holmes St Brunswick.**
  - c) **Any progress on discussions with VicRoads about the proposal for a 40km speed limit on Nicholson Street & Holmes Street plus any other proposals from VicRoads to make these two roads safer and when council had the most recent contact with VicRoads about this issue.**
2. **Renews its advocacy to VicRoads and Minister for Roads and Road Safety Ben Carroll for Nicholson Street, Coburg and Holmes Street, Brunswick to be a 40km zone and any further safety improvements to these roads.**
3. **Investigates installing signage to alert drivers to the pedestrian crossing outside the Nicholson building which is currently obscured by scaffolding.**

**Carried unanimously**

## **8.2 PRESERVING PEDESTRIAN SAFETY ON WARDENS WALK/ STOCKADE AVENUE DURING CONSTRUCTION**

### **Motion**

That Council receives a report at the July Council meeting including the following:

1. Whether Council considered requiring the 9S Wardens Walk Coburg to submit a Construction Management Plan and the reasons why the developer was not required to submit a CMP despite Moreland's Local Laws requiring CMPs to be approved for constructions of this scale.
2. Whether it is still possible for Council to require a CMP to be submitted to council for approval and if so, will the council require this?
3. Whether Council has conducted a safety assessment of the impact of construction on the Wardens Walk/Stockade Avenue pedestrian corridor during the construction of 9S Wardens Walk.
4. Proposals from Council has for how to guarantee the safety of pedestrians and cyclists on the Wardens Walk/Stockade Avenue pedestrian corridor during the construction of 9S Wardens Walk.

### **Resolution**

**Cr Bolton moved, Cr Pulford seconded -**

**That Council:**

1. **Requires the developer of 9S Wardens Walk Coburg in the Pentridge – Coburg Quarter Estate to provide Council with a proposed Construction Management Plan, including a Traffic Management Plan.**
2. **Notes its preference for a traffic management plan that does not include Stockade Avenue or Wardens Walk for use by construction vehicles, including for loading and unloading. Pentridge Boulevard is the appropriate road to be used by construction vehicles.**
3. **Uses the Council website to publish criteria for which developments (which require a plan) need to lodge a construction management plan with the Council for approval.**
4. **Communicates to residents and Councillors, proposals on how to guarantee the safety of pedestrians and cyclists on Wardens Walk and Stockade Avenue during the construction of 9S Wardens Walk.**

**Carried**

## **NOTICE OF RESCISSION**

Nil

## **FORESHADOWED ITEMS**

Nil

## URGENT BUSINESS REPORTS

### Urgent Business

#### Resolution

Cr Bolton moved, Cr Conlan seconded -

That Council admits the matter of the State Government Merlynston Car Park Project Tree Removal as Urgent Business for consideration, as it relates to a matter that has arisen since the distribution of the agenda and cannot safely or conveniently be deferred to the next Council meeting.

Carried unanimously

### 11.1 STATE GOVERNMENT MERLYNSTON CAR PARK PROJECT TREE REMOVAL

#### Resolution

Cr Bolton moved, Cr Conlan seconded –

That Council

1. Writes to the relevant minister seeking retention of the two redgum trees marked for removal in the Merlynston Car Park project;
2. Continues to advocate to the State Government project team for retention of the two trees, for example through redesign of the project.

9.42 pm Cr Tapinos left the meeting.

9.47 pm Cr Tapinos returned to the meeting.

Carried unanimously

### Urgent Confidential Business

#### Resolution

Cr Panopoulos moved, Cr Conlan seconded -

That Council admits a legal matter for considered as an urgent item of business tonight for consideration, as it relates to a matter that has arisen since the distribution of the agenda and cannot safely or conveniently be deferred to the next Council meeting, and that this be considered in the confidential section of this meeting pursuant to section 3(1)(e) of the *Local Government Act 2020*, as it relates to a matter of legal privileged information, being information to which legal professional privilege or client legal privilege applies.

Carried unanimously

## **CONFIDENTIAL BUSINESS**

### **Resolution**

**Cr Panopoulos moved, Cr Yildiz seconded -**

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

- **12.1 Proposed Open Space Acquisition because it relates to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.**

**Carried**

The Council meeting closed to the public at 9.50 pm.

## **OPENING THE MEETING TO THE PUBLIC**

### **Resolution**

**Cr Davidson moved, Cr Riley seconded -**

**The Council meeting be open to the public.**

**Carried**

The Council meeting re-opened to the public at 10.06 pm.

The Council meeting closed at 10.06 pm.

Confirmed

Cr Mark Riley  
**MAYOR**